

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40873 of 2020**

Arising Out of PS. Case No.-53 Year-2020 Thana- MAHILA P.S. District- Sheikhpura

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RAM PRAVESH KUMAR @ NIRANJAN KUMAR Son of Subedar Mahto
Resident of Village- Sanaiya, P.S.- Ariyari, District- Sheikhpura.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bipin Kumar, Adv.

For the Opposite Party/s : Mr. Sanjay Kumar Sharma, APP

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**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER**

3 09-03-2021 Heard learned counsel for the petitioner and learned
APP for the State, through video conferencing.

The petitioner has filed the instant application for grant of regular bail in connection with Sheikhpura Mahila P.S. Case no. 53 of 2020 (POCSO Case no. 32 of 2020) registered under section 376 of the Indian Penal Code and sections 4 and 8 of the POCSO Act.

As per allegation in the FIR, the petitioner is stated to have committed rape on the minor informant.

It is submitted by learned counsel for the petitioner that from perusal of the medical report of the informant, it would transpire that the same does not support the allegations made in the FIR in so far as no external or internal injury was found on the body of the informant nor any spermatozoa was



found. It is further submitted that the petitioner and the informant are co-villagers and the petitioner has been falsely implicated for some other reason. The petitioner has no criminal antecedent and is in custody since 6.8.2020.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the direct allegations against the petitioner in the FIR of having committed rape on the minor informant which has been supported by the informant in her statement recorded under section 164 Cr.P.C., the Court is not inclined to enlarge the petitioner on bail and the same is rejected.

The learned trial Court is directed to expedite the trial.

(Partha Sarthy, J)

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