

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2006 of 2021

Arising Out of PS. Case No.-138 Year-2020 Thana- KADWA District- Katihar

NARAYAN SAH, son of Late Pannu Sah Resident of Village- Gairia, P.O-
Chandpur via Durgaganj, P.S.- Kadwa, District- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jibendra Mishra, Advocate.

For the Opposite Party/s : Mr. Arun Kumar Pandey, APP.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 21-05-2021 Heard the parties in virtual Court.

The petitioner is languishing in custody for the offence punishable under Sections 376, 511, 377 and 385 of the Indian Penal Code and Section 8 of the POCSO Act.

Petitioner allegedly ravished to a minor girl. The victim has supported the aforesaid allegation in her statement under Section 164 Cr.P.C.

Submission is that the petitioner is aged about 73 years. The medical report does not support the prosecution allegation as the doctor did not find any sign of rape. False implication is there due to business rivalry. Investigation of the case is already complete.

Considering the entire facts, the statement of the victim cannot be disbelieved at this stage nor it is believable that



a minor girl would make a statement against her own honour and dignity for simple business rivalry between the two families. Hence, I am not inclined to enlarge the petitioner on bail in connection with Kadwa P.S. Case No. 138 of 2020.

Hence, prayer is refused.

Learned trial Judge is directed to expedite the trial.

(Birendra Kumar, J)

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