

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 7403 of 2021

Arising Out of PS. Case No.-257 Year-2017 Thana- BAKHTIYARPUR District- Patna

PUKAR YADAV @ PUKAR RAI @ PUKAR Son of Late Jimdar Rai
Resident of Mohalla - Bakhtiyarpur, P.S.- Bakhtiyarpur, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : M/s Jay Ram Pd, Niranjana Singh, Prince Khatri,
Advocates

For the Opposite Party/s : Mr Mohammed Arif, APP

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

6 09-08-2021 This case has been taken up for consideration today
through Video Conferencing.

Heard learned counsel for the petitioner; learned
counsel for the informant and the learned Additional Public
Prosecutor (for brevity, APP) appearing for the State of Bihar.

Petitioner seeks bail in Special Case No 111 of 2017
arising out of Bakhtiyarpur Police Station Case No 257 of 2017
registered under Sections 354, 363, 376 of Indian Penal Code
and Sections 5/10 of Protection of Children from Sexual
Offences Act.

The victim, as per First Information Report, has been
subjected to physical abuse being a minor and handicapped, by
her father; and subsequently when she has taken shelter in the



petitioner's house, she has been ravished there also.

Learned counsel for the petitioner has submitted that it is a case of false implication. Even, during investigation, material has come to show that the victim was indulging in flesh trade and the petitioner was the broker and has, therefore, been falsely implicated due to extraneous considerations. It is stated that the petitioner is in custody since 02.09.2020.

Learned APP has opposed the prayer for bail. It is stated, with reference to the case diary, that victim has supported the allegation of rape against the petitioner in her statement in investigation as well as the medical examination of the petitioner also supports the allegations. The petitioner has been named by the victim herself.

Having considered the rival submissions, this Court, for the present, is not inclined to grant bail to the petitioner. Prayer is rejected.

Trial Court is directed to expedite the trial without any unnecessary adjournments and undue delay.

(Madhuresh Prasad, J)

M.E.H./-

U		T	
---	--	---	--

