

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17210 of 2022

Arising Out of PS. Case No.-400 Year-2021 Thana- BIKRAMGANJ District- Rohtas

Gupteshwar Singh Son Of Late Ram Pujan Singh R/O Village- Basgitiya,
P.S.- Bikaramganj, Dist.- Rohtas At Sasaram

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bindeshwar Prasad Singh

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 22-08-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and learned APP for the State.

Petitioner seeks bail in a case registered for the offences punishable under Sections 376(AB) of the Indian Penal Code and Section 4 of the POCSO Act.

As per prosecution case, in brief, is that on 01.11.2021 when the informant's daughter aged about 7 years was coming to her home after attending her school, the accused petitioner enticed his daughter with a chocolate and took her to his Dalan, took her pant off and further tried to insert his penis in the genital of his daughter. When the victim started crying with pain



and raised *hulla*, other children came there then the accused left her.

Learned counsel for the petitioner submits that the petitioner has clean antecedents and he has been falsely implicated in the present case. He further submits that no such occurrence as alleged in the F.I.R. has been taken place and he is in custody since 31.01.2022.

Learned APP for the State, on the other hand, vehemently opposed the prayer for bail of the petitioner on the basis of material available on record as well as case diary and submits that the statement of the victim girl was recorded under Section 164 of the Cr. P.C. as well as medical report of the victim confirms the allegation as alleged in the F.I.R and in fact the victim girl is only seven years old.

Considering the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail in connection with Bikaramganj P.S. Case No. 400 of 2021 pending in the Court of learned Special Judge (POCSO), Rohtas at Sasaram.

Prayer is refused.

(Rajesh Kumar Verma, J)

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