

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27113 of 2021**

Arising Out of PS. Case No.-23 Year-2020 Thana- MAHILA PS District- Jehanabad

AJAY KEWAT Son of Late Kheman Kewat Resident of Village- Chukunpur
@ Chunkupur, P.S.- Ghoshi, District- Jehanabad.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Srivastava
For the Opposite Party/s : Mr.

**CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER**

5 24-02-2022 Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. for the State.

Let the defect (s), if any, be removed within two weeks.

The petitioner, who is in custody since 22.10.2020, seeks
regular bail in connection with Jehanabad (Mahila) P.S. Case No.
23 of 2020, for the offence punishable under Sections 341, 323,
342, 376, 328 and 506 of the Indian Penal Code.

The prosecution case, as alleged in the written petition of
the informant in short is that the victim is the daughter of the
informant and the victim aged about 13 years. It is further alleged
that the accused petitioner is the husband of the informant and
father of the victim who has sexually assaulted his daughter
(victim) since October, November, 2019.

Learned counsel appearing on behalf of the petitioner
submits that much delay has been caused in filing the F.I.R.



Informant who is his wife has cooked a false story because she is not in matrimonial relationship with her. The present FIR has been lodged just after she left the matrimonial house and implicated the petitioner in frivolous case which is demoralising and not expected from the father to have committed rape of her daughter. The petitioner has no criminal antecedent and he is in custody since 22.10.2020.

Learned A.P.P. for the State has opposed the prayer for grant of bail to the petitioner and submits that victim has supported the allegation made in the FIR under Section 164 Cr.P.C. and taking into consideration the heinous crime committed by her father, the petitioner does not deserve for bail.

Considering the seriousness of allegation which is supported by the statement of the victim girl aged about 13 years, I am not inclined to grant bail to the petitioner and the prayer for bail of this petitioner is dismissed.

The trial Court is directed to expedite the trial. The prosecution will not delay in any manner in conducting the trial.

(Purnendu Singh, J)

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