

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20874 of 2022

Arising Out of PS. Case No.-15 Year-2021 Thana- MAHILA PS District- Jehanabad

AKSHAY KUMAR S/o- Umesh Chaudhary R/o Village - Samanpura Baddo,
P.O.- Ibrahimpur, P.S. - Kinjar, District - Arwal.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mahesh Prasad

For the Opposite Party/s : Mr.Anil Kumar

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

5 26-09-2022 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned A.P.P for the State.

The petitioner has preferred this application for grant of regular bail in a case registered under section 376DA of the Indian Penal Code and 4 of the POCSO Act.

As per the prosecution case, the petitioner and co-accused are alleged to have raped the informant one after another after taking her forcibly to the Dalan of the petitioner Akshay Kumar while the victim had gone towards the field for call of nature.



Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case due to village politics. The petitioner has clean antecedent as stated in para 3 of the bail petition. As per the medical board, the age of the victim is between 14-17 years. It is further submitted that during the course of deposition, the victim in her cross examination did not identify the petitioner completely. The petitioner is in custody since 04.07.2021.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner by submitting that there is specific allegation against the petitioner of committing rape on a minor.

Considering the aforesaid facts and circumstances of the case as well as the specific and heinous nature of allegation against the petitioner, I am not inclined to enlarge this petitioner above-named on bail.

Learned trial Court is directed to expedite the trial and conclude the same preferably within six months.

The bail petition stands rejected.

(Chandra Prakash Singh, J)

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