

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21788 of 2022

Arising Out of PS. Case No.-120 Year-2018 Thana- SHAMBHUGANJ District- Banka

=====

MD. SADDAM @ SADDAM SON OF KAMRUDDIN R/O VILLAGE-
CHUTIA, P.S.- SHAMBHUGANJ, DISTRICT- BANKA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar

For the Opposite Party/s : Mr.Sanjay Kumar Singh

=====

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

ORAL ORDER

2 04-08-2022 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 APP for the State.

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

As per the prosecution case, the petitioner is alleged to have committed rape on the minor daughter of the informant who is aged about 3 years and 10 months. The occurrence took place at an under construction house which was a lonely place.

Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the



petitioner. The petitioner has clean antecedent as stated at para 3 of the bail petition. It is further submitted that only two witnesses have been examined. The petitioner is in custody since 09.06.2018.

Learned A.P.P. for the State has opposed the bail petition of the petitioner as there is direct allegation against the petitioner of committing rape on a minor girl aged about 3 years and 10 months which is heinous in nature. The victim girl has also supported the prosecution case in her statement recorded under Section 164 of the Cr.P.C.

Considering the aforesaid facts and circumstances, 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 9 months.

The bail petition stands rejected.

(Chandra Prakash Singh, J)

atul/-

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

