

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23659 of 2022

Arising Out of PS. Case No.-32 Year-2021 Thana- MAHILA THANA District- Begusarai

Manish Kumar Sahni @ Manish Sahni S/o Sri Ram Kumar Sahni R/o village-
Naula, P.S.- Bhagwanpur, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Lal Mani Sharma, Adv.

For the Opposite Party/s : Mr. Uday Pratap Singh, APP.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 12-08-2022 Let the defect, if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner, learned
A.P.P. for the State as well as learned counsel for the informant
through virtual mode.

The petitioner seeks regular bail in connection with
POCSO Case No. 66 of 2021 arising out of Mahila P.S. Case
No. 32 of 2021 lodged under Sections 323, 341, 376(D) and 34
of the Indian Penal Code read with Section 4 of the POCSO Act.

The allegation of kidnapping and rape to the
informant who is student of 8th class is there in the F.I.R.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence, he has been
falsely implicated in this case. He further submits that the
medical report does not support the allegations made in the

F.I.R. He also submits that petitioner is in custody since 18.10.2021 and chargesheet has already been filed in this case. Learned counsel for the petitioner further submits that there are 2 cases pending against the present petitioner and he is on bail in both the cases. He further submits that petitioner is ready to support in trial and shall follow all the condition as imposed by the Court.

Learned counsel for the State opposes the prayer for bail and submits that from the rejection order of the Special Court, it transpires that in the statement recorded under Section 164 of Cr.P.C., the victim has fully supported her version made in the F.I.R. He further submits that if bail shall be granted, the trial may not be concluded as the accused persons shall start creating hurdle in framing of charge and evidence.

In the present facts and circumstances of this case and the submissions made above, bail application of petitioner is hereby rejected.

The trial court is directed to conclude the trial at the earliest, preferably within one year after framing of charge.

(Dr. Anshuman, J.)

ritik/-

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