

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44721 of 2021**

Arising Out of PS. Case No.-62 Year-2021 Thana- BIHPUR District- Bhagalpur

BIKESH KUMAR DAS @ MUKHIYA @ BIKASH KR. DAS Son of
Mahesh das Resident of Village - Jamalpur, P.S. - Bihpur (Jhandapur),
District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER**

3 22-02-2022 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 376 and 511 of the Indian Penal Code and section 8 of the POCSO Act.

As per the prosecution case, it is stated by the informant that her ten year daughter was crying and on inquiry she disclosed about the misbehaviour by this petitioner.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case because of fight between two groups in the village. The independent witnesses in paragraph nos. 9 and 10 of the case diary have not supported the prosecution case. The doctor did not find any mark of injury on the victim. Even accepting for



the sake of argument that a case under section 8 of the POCSO Act may be made out against the petitioner, against the sentence of three years, the petitioner has remained in custody for one year. The petitioner has no criminal antecedent and investigation in the case has been completed.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the allegations against the petitioner together with the statement of the victim under section 164 Cr.P.C., the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

Learned trial court is directed to expedite the trial.

(Partha Sarthy, J)

Spd/-

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

