

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46457 of 2021**

Arising Out of PS. Case No.-692 Year-2020 Thana- SIKARPUR District- West Champaran

Sudhir Patel Son of Khobhari Patel @ Khobhari Raut Resident of Village -
Roari, Police Station - Shikarpur, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sachida Nand Rai

For the Opposite Party/s : Mr.Navin Kumar Pandey

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

3 04-01-2022 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Shikarpur P.S. Case No. 692 of 2020, registered for the offence under Section 376, 504, 506/34 of the Indian Penal Code and Sections 4, 8 of the POCSO Act.

As per the prosecution case, this petitioner sexually abused the victim.

It is submitted on behalf of petitioner that there is delay of nine days in lodging the F.I.R. and there is no plausible explanation for the same. Doctor has not found any sign of rape on the person of the victim. Petitioner claims clean antecedent and he is in custody since 21.12.2020.

However, learned A.P.P. for the State opposed the bail



petition and submitted that victim has supported the prosecution case in her statement recorded under Section 164 Cr.P.C. and she was found to be 16 years old.

Considering the nature & gravity of the offence and statement of the victim recorded under Section 164 Cr.P.C., I am not inclined to grant bail to the petitioner and same is, accordingly, rejected.

(Prabhat Kumar Singh, J.)

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