

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46659 of 2021**

Arising Out of PS. Case No.-250 Year-2021 Thana- MAJHAULIA District- West Champaran

Pramod Yadav S/o Late Shankar Yadav R/o village- Nakarohi Tola Majartoti
Tola Baithaniya, Ward No. 04, P.S.- Majhauriya, District- West Champaran
... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brajesh Kumar Singh

For the Opposite Party/s : Mr. Ashok Kumar Singh, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

3 24-02-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be removed within four weeks of start of normal functioning of the physical court.

Petitioner seeks bail in connection with Majhauria P.S. Case No. 250 of 2021 registered for the offences punishable under Sections 376 of the Indian Penal Code read with Section 4/6 of the POCSO Act and Section 3(1-7)(v)(a) of the SC/ST Act.

According to prosecution case, the informant, aged about 13 years, after taking dinner was sleeping in the Government shed near her house then the accused named in the F.I.R. came there and took her away in the west of Sareh by pressing her mouth and committed rape. After raising alarm, the



villagers came there and caught the accused person and handed him to the police.

Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that due to village politics the name of the petitioner has been implicated in this case. The petitioner is in custody since 06.05.2021.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail on the basis of material available on record as well as case diary that the victim has also supported the allegation as alleged in the F.I.R. and in her statement recorded under Section 164 Cr.P.C. before the Magistrate.

Considering the aforesaid facts and circumstances, I am not inclined to grant the privilege of bail to the petitioner and accordingly, the same is rejected.

However, the trial court is directed to expedite the trial.

(Rajesh Kumar Verma, J)

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