

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49558 of 2021

Arising Out of PS. Case No.-76 Year-2021 Thana- GHOGHARDIHA District- Madhubani

DEEPAK KUMAR JHA @ BHOLA JHA Son of Krishna Mohan Jha @
Kanhaiya Jha Resident of Village - Ghoghardiha, Ward No.- 8, P.S.-
Ghoghardiha, District - Madhubani. .

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ratanakar Jha, Advocate

For the Opposite Party/s : Mr. Md. Iftekhhar Mahmood, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 24-03-2022

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 506 of the Indian Penal Code and section 4 of the POCSO Act.

As per the prosecution case, the informant states that his co-villager, the petitioner herein committed rape on his 14 year old minor daughter and on enquiry from the victim it transpired that the same has been going on for the last six months.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. The parties are coparceners and the false implication is because of land dispute. From the material that has transpired in course of



investigation it would be evident that no video has been made viral. The petitioner is in custody since 17.6.2021 and has no criminal antecedent.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the material that has transpired in course of investigation specially the statement of the 14 year old 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)

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