

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49854 of 2021

Arising Out of PS. Case No.-47 Year-2021 Thana- MAHILA P.S. District- Samastipur

Shailendra Kumar Singh @ Chhoto @ Nonhaki Son of Suresh Prasad Singh
Resident of Village - Siropatti Sirha, P.S.- Khanpur, Distt.- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinay Kumar Mishra

For the Opposite Party/s : Mr. Anand Mohan Prasad Mehta

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 21-04-2022 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

As per prosecution case, it is alleged that on 14.07.2021, when the informant was not at home then her neighbour, the petitioner, called her minor daughter namely, Pretma Johsi aged about seven years to his home and committed wrong with her. When informant came back, her daughter told the entire story then she was taken to hospital from where, she was asked to go Mahila Police Station and subsequently, this F.I.R. has been lodged. The girl was examined and her statement was recorded under section 164 of the Cr.P.C. and the victim supported the prosecution case.

It is submitted on behalf of the learned counsel for the petitioner that there is a land dispute between the parties and



this petitioner happens to be co-sharer of the land in question and he has been falsely implicated in this case.

On the other hand, learned counsel for the State vehemently opposes the prayer for bail of the petitioner and drawn the attention of this Court to the statement of other witnesses as well as statement of victim recorded under section 164 of the Cr.P.C as well as medical report, which corroborate the prosecution case.

Having considered the nature of accusation and gravity of the offence in as much as the age of the victim, this court is not inclined to grant privilege of bail to the petitioner and accordingly, prayer for bail of the petitioner stands rejected.

However, it is expected that the learned trial court will take necessary steps to conclude the trial of the petitioner as early as possible.

(Harish Kumar, J)

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