

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58124 of 2021

Arising Out of PS. Case No.-77 Year-2020 Thana- DHANARUA District- Patna

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Satyendra Kumar, S/o Late Ramjanam Singh, R/O Village-Mustafapur,
Bhakhri, P.S-Dhanarua, District-Patna.

... .. Petitioner/s

Versus

The State of Bihar & Anr.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Nitya Nand Neeraj, Advocate

For the Opposite Party/s : Mr.Binay Krishna, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

6 30-08-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect (s), as pointed out by the office, be removed within a period of four weeks from the date of resumption of physical filing and physical removal of defect.

In the present case, the petitioner seeks bail in connection with Special Case No. 48 of 2020 arising out of Dhanarua P.S. Case No. 77 of 2020, registered for the alleged offences under Section 376 of the Indian Penal Code, Section 4/5 of POCSO Act and Sections 2/3(2)/(V) (S) of SC/ST Act.

As per the prosecution case, the minor daughter of the scheduled caste informant was raped by the petitioner.

The learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case. For an



occurrence of 26.02.2020, the FIR has been registered on 27.02.2020 and the medical examination was conducted only on 02.03.2020. The prosecution story is not believable. Only for keeping the petitioner behind the bar, this case has been filed. The charges have been framed in this case on 03.04.2021, still no witness has been examined till date. The petitioner is in custody since 28.02.2020.

Learned APP opposes the prayer for bail submitting that the witnesses in paragraphs 6, 7 and 8 of the case diary have supported the prosecution case. The victim girl has also supported the allegation against the petitioner in her statement under Section 164 Cr.P.C. before the learned Magistrate as mentioned in paragraph 17 of the case diary.

Perused the records.

Having regard to the specific nature of allegation against the petitioner, which has been supported by the witnesses during investigation and the victim in her statement under Sections 164 and 161 Cr.P.C., I am not inclined to enlarge the petitioner on bail at this stage.

Accordingly, his prayer for bail is rejected.

However, learned trial court is directed to expedite the trial and conclude the same within six months since the charges



have already been framed on 03.04.2021.

(Arun Kumar Jha, J)

V.K.Pandey/-

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