

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.47628 of 2022**

Arising Out of PS. Case No.-14 Year-2022 Thana- MAHILA P.S. District- Lakhisarai

Manish Kahar @ Sadhu Ram S/O Chando Ram Resident of Village- Siyani,
P.S.- Karandey District- Sheikhpura.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Ram Vinay Pd. Singh, Advocate
For the Opposite Party/s : Mr. Akhileshwar Dayal, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 09-12-2022 Learned counsel for the petitioner will remove all the defects as pointed out by office within two weeks from today.

Heard learned counsel for the petitioner and Mr. Akhileshwar Dayal, learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with Lakhisarai Mahilla P.S. Case No. 14 of 2022 registered for the offences punishable under Sections 376(AB), 341, 323/34 of the Indian Penal Code and Sections 4 and 6 of the Prevention of Children from Sexual Offences Act (in short 'POCSO Act'). He is in custody since 26.04.2022. The petitioner has got one criminal antecedent.

As per the prosecution story, on 24.04.2022 in the evening when the informant returned to her house after purchase of house hold article, she found her daughter moaning in pain,



on enquiry the daughter of the informant told her that one massion (Raj Mistri) who used to live in the house of the neighbour on rent took her and made her injured by putting her hand in the private part of the daughter of the informant. The informant further stated that when she went to the house of Manish Kahar (petitioner) along with her daughter to make complain, the petitioner alongwith his family members stated abusing her, thereafter she lodged complaint.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. It is submitted that petitioner is a massion (Raj Misri) on daily wage basis and used to live along with his wife and daughter, in fact, on 25.04.2022 a scuffle had taken place between both the sides. Learned counsel further submits that the petitioner is in custody in connection with this case since 26.04.2022.

Mr. Akhileshwar Dayal, learned APP for the State is present and has opposed the prayer for regular bail of the petitioner.

Having regard to the seriousness of the offence alleged against the petitioner wherein a seven years old girl is said to have been made victim of crime under the POCSO Act



and she is said to have named this petitioner specifically, this Court is not inclined to release the petitioner on bail.

Prayer for regular bail of the petitioner is, thus, rejected.

Let the trial be expedited.

Certified copy of this order shall be made available only after removal of the defects.

(Rajeev Ranjan Prasad, J)

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