

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61835 of 2021**

Arising Out of PS. Case No.-73 Year-2021 Thana- GHOGHARDIHA District- Madhubani

RAHUL KUMAR SINGH, Son of Arun Kumar Singh Resident of Village -
Deorh, P.s.- Ghoghardiha, Distt.- Mahdubani.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prabhat Kumar Singh

For the Opposite Party/s : Mr.Narsingh Tanti

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 23-03-2022 Heard the learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in a case registered for the
offences under Section 376 of the Indian Penal Code and Section 4
of POCSO Act.

The learned counsel for the petitioner submits that the
petitioner is in custody since 13.06.2021, he is a person with clean
antecedent and charges have been framed and trial is going on.

The learned counsel for the petitioner further submits that
the informant alleges that his five year old minor daughter on
11.06.2021 came weeping and disclosed that petitioner gave her
chocolate and brought her to his house and then put his finger in her
private part, on account of which the victim started bleeding, further
the petitioner accepted his guilt, it is also alleged that victim was
treated by a private doctor at Darbhanga and thereafter on
13.06.2021, the present case came to be implicated.



The learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case which would be evident from Annexure-2 to the bail application which is medical Board report of three doctors of Sadar, Hospital, Madhubani which negate any kind of sexual assault. The learned counsel further submits that petitioner is running school on account of which he came to be falsely implicated in the present case.

The learned A.P.P. vehemently opposes the bail application and submits that the trial is going on and at this stage, the learned counsel for the petitioner submits that the I.O. and doctor have already been examined and only few witnesses from the side of the informant are left to be examined and thus seeks permission to withdraw the case.

Permission is accorded with a direction to the learned Court below to ensure that the trial is completed expeditiously and preferably within a period of six months from the date of receipt / production of a copy of this order.

The application stands dismissed with aforesaid direction.

(Satyavrat Verma, J)

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