

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62120 of 2021**

Arising Out of PS. Case No.-36 Year-2021 Thana- MAHILA P.S. District- Siwan

MANIK CHANDRA SAH @ MANIK CHAND GUPTA S/o Late Singhasan
Sah Resident of Village- Selour, P.S.- Guthani, District- Siwan.

... .. Petitioner

Versus

THE STATE OF BHAR

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Ranjan Kumar Dubey
For the Opposite Party : Mr. Murli Dhar, APP

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL ORDER

2 06-04-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor appearing on behalf of the State.

This application for grant of regular bail arises out of
Siwan Mahila P.S. Case No. 36 of 2021, registered for the
offence punishable under Sections 376(AB)/34 of the Indian
Penal Code and 4/6 of the POCSO Act.

It is alleged against the petitioner that he raped the
informant's daughter aged seven years.

Learned counsel appearing on behalf of the petitioner
has submitted that for the alleged occurrence of 19.07.2021, the
First Information Report has been registered on 23.07.2021,
which creates a serious doubt over the veracity of the case of the
prosecution. He has further submitted that the medical report
does not support the prosecution's version.



I have perused the First Information Report. The allegation against the petitioner is on the basis of the disclosure made by the informant's daughter on 23.07.2021, after the informant is said to have returned to her house from outside. The statement of the victim recorded, under Section 164 of the Code of Criminal Procedure, supports the case of the prosecution.

Considering the grave nature of allegation against the petitioner, I am not inclined to grant him privilege of regular bail for the present.

This application is accordingly dismissed.

(Chakradhari Sharan Singh, J)

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