

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65005 of 2021**

Arising Out of PS. Case No.-395 Year-2021 Thana- AMARPUR District- Banka

SHIBU DAS @ SHIVNANDAN DAS Son of Dipan Das Resident of Village
- Bhaluhar, P.S. Amarpur, District - Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Nandad Prasad

For the Opposite Party/s : Mr.Aditya Narayan Singh.1

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

4 21-04-2022 Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for the offence punishable under Section 354(B) and some other ancillary Sections of the Indian Penal Code.

As per the prosecution case, on 29.07.2021 while the informant along with her daughter-in-law and daughter was sleeping, this petitioner entered into her house and tried to outrage the modesty of the daughter of informant.

Learned counsel appearing for the petitioner submits that petitioner is innocent and has falsely been implicated in the case. It is submitted that there is allegation of only outraging the modesty of the daughter of informant and the doctor has not found any sign of rape. Petitioner claims clean antecedent and is in custody since 08.08.2021 and investigation in this case is



complete.

Learned counsel appearing for the State opposes the prayer for bail and submits that victim in her statement u/s 164 of the Cr. P. C. has specifically stated that this petitioner committed rape with her and age of the victim has been assessed to be 12 years.

Considering the nature of accusation and gravity of the offence, I am not inclined to enlarge the petitioner on bail. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

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