

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8874 of 2023

Arising Out of PS. Case No.-81 Year-2022 Thana- MAHILA PS District- Gaya

SATENDRA YADAV @ SATENDRA KUMAR S/o Jagdish Yadav R/o
Village- Nima, P.S.- Gurua, Distt- Gaya, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjit Kumar

For the Opposite Party/s : Mr.Bhanu Pratap Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 03-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for regular bail has been filed by the petitioner in a case instituted for the offence punishable under Sections 376, 376(B), 376(D), 376(DB) of the Indian Penal Code read with Section 4/6 of the POCSO Act.

It is a case of committing rape by the petitioner upon the minor daughter, aged about 4 years, of the informant, who is student of nursery and read in Kindergarten School, Gaya. She goes to school by school van and in that van, two accused persons (co-driver and cleaner) including the petitioner sexually molested the minor victim girl. After the alleged occurrence, she returned her home in painful condition and narrated the story to her parents.



Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this case. He is languishing in judicial custody since 21.09.2022.

Learned APP appearing for the State has opposed the prayer of bail and submitted that statement of the victim girl was got recorded under Section 164 Cr.P.C., wherein she has made direct allegation of rape against the petitioner. As per Medical report, redness and swelling were present in her private parts. Blood spotting present.

Having heard learned counsel for the parties and taking into consideration that there is direct allegation of committing rape against the petitioner upon the minor girl of the informant, I am not inclined to grant bail to the petitioner and, as such, his application for bail is rejected.

The trial court is directed to expedite and conclude the trial.

(Sunil Kumar Panwar, J)

Sushma/-

U			
---	--	--	--

