

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12899 of 2023

Arising Out of PS. Case No.-4 Year-2022 Thana- MAHILA PS District- Gopalganj

Shiv Shankar Yadav S/O Late Chandrika Yadav R/v- Sirisiya Parsha
Aahatmoli, P.S.- Seorahi, District- Kushi Nagar, Uttar Pradesh

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vishwajeet Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Satyendra Narayan Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 04-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. Petitioner seeks bail, who is in custody since 26.07.2022 in connection with Gopalganj (Mahila) P.S. Case No. 04 of 2022, F.I.R. dated 01.02.2022 registered for the offences punishable under Sections 366(A), 372, 373, 376(2), 376(D), 506 and 34 of the Indian Penal Code and Section 4 and 6 of POCSO Act.

3. Allegation against the petitioner is that he along with other co-accused committed rape and bought the victim worth Rs. 50,000/-.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not



committed any offence as alleged in the F.I.R.

5. Learned APP for the State, on the other hand, vehemently opposed the prayer for bail of the petitioner on the ground that the petitioner carries one more case other than the present one but fairly submits from paragraph-3 of the petition that the petitioner is on bail.

6. Vide order dated 24.07.2023, a report was called for with regard to the stage of the trial. Report dated 28.07.2023 of the learned Trial court reveals that all the chargsheeted witnesses have been examined and the case is fixed for argument.

7. Considering the aforesaid facts and in view of the report of the learned Trial court, I am not inclined to enlarge the petitioner on bail in connection with Gopalganj (Mahila) P.S. Case No. 04 of 2022 pending in the Court of learned Additional District Judge-Vith, Gopalganj.

8. Prayer is refused.

9. However, the learned Trial court is directed to expedite the trial and conclude the same at the earliest.

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(Rajesh Kumar Verma, J)

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