

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14570 of 2023

Arising Out of PS. Case No.-195 Year-2022 Thana- DHARHARA District- Munger

GUDDU KUMAR Son of Subodh Yadav R/v- Chharra Pattee, P.S.-
Hemjapur, District- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Nawal Kishore Singh, Advocate Mr. Yogesh Chandra Verma, Sr. Advocate
For the Opposite Party/s :	Mr.Pranav Kumar, Advocate Mr. Muneshwar Prasad, Advocate

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 26-06-2023 Heard learned counsel for the petitioner and
learned APP for the State.

The petitioner has prayed for regular bail in a case
registered for the offence punishable under
sections 376(AB) of the IPC and 4/6 of the POCSO Act.

As per prosecution case, the informant alleged that
when her minor daughter was going her house from Bathan
then the petitioner forcibly took her to his house and
committed raped with her.

Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He has
falsely been implicated in this case. He has got no criminal



antecedent. It is further submitted that the petitioner is languishing in judicial custody since 21.10.2022.

Learned APP appearing for the state has opposed the prayer of regular bail and submitted that as per statement of the victim recorded under Section 164 of the Cr.P.C., which is annexed with case diary wherein, she has stated that the petitioner without her consent committed rape with her.

Having heard the learned counsel for the parties and considering the fact that there is direct allegation against the petitioner of committing rape with the informant's daughter, this court is not inclined to enlarge the petitioner on bail and, as such, his prayer for bail stands rejected.

The trial Court is directed to expedite the trial and conclude the same as soon as possible.

(Sunil Kumar Panwar, J)

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