

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18379 of 2023

Arising Out of PS. Case No.-1157 Year-2022 Thana- BIHTA District- Patna

Akhilesh Choudhary Son Of Arjun Chaoudhary R/O Village- Bindaul, P.S.-
Bihta, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satish Chandra

For the Opposite Party/s : Mr.Manoj Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 23-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in connection with Bihta P.S. Case No. 1157 of 2022 instituted for the offence under Sections 376/34 of the Indian Penal Code and Section 4 of the POCSO Act.

3. According to the FIR, the petitioner is alleged to have committed wrong with the minor daughter of the informant, aged about 6 years when she has gone to attend nature's call.

4. Learned counsel for the petitioner submits that the petitioner is innocent and committed no offence. He has falsely been implicated in this case due to dirty village politics. It is also submitted that the victim girl has not disclosed the name of the petitioner in her statement recorded u/s 164 of the Cr.P.C. A



statement has been made in para-3 of the petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 5.11.2022.

5. Learned APP appearing for the state has vehemently opposed the prayer of regular bail and submitted that the petitioner is named in the FIR who has been specifically alleged to have committed wrong with the victim. Although, the victim girl has not disclosed the name of the petitioner but she supports the prosecution allegation in her statement recorded u/s 164 of the Cr.P.C. in which she stated in respect of this commission of offence. The victim girl is minor who stated her age about 6 years. It is further submitted that witnesses of this have also supported the prosecution case.

6. Having heard the learned counsel for the parties and considering the nature of the offence, this court is not inclined to enlarge the petitioner on bail and, as such, his prayer for bail stands rejected.

7. 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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