

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18701 of 2023

Arising Out of PS. Case No.-399 Year-2022 Thana- ISLAMPUR District- Nalanda

Vikash Prasad @ Mahendra Prasad S/O Mahesh Prasad Resident of Village-
Mobarakpur, P.S.- Islampur, in the district of Nalanda.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar

For the Opposite Party/s : Mr.Gulnar Begum

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 24-08-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

The petitioner has prayed for bail in a case instituted
for the offence under Section 376 of the Indian Penal Code and
Section 4/6 of POCSO Act.

It is a case of committing rape by the petitioner to the
minor daughter, aged about 08 years, of the informant, when she
went to call her friend for prayer of god. It is further alleged that
the petitioner threatened her of dire consequences.

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. The
petitioner has got no criminal antecedent and he is languishing
in judicial custody since 22.07.2022.



Learned APP appearing for the State and learned counsel for the informant have vehemently opposed the prayer of bail and submitted that the victim girl is minor and petitioner committed rape with her. From perusal of the impugned order, it appears that statement of the victim girl was got recorded under Section 164 of Cr.P.C., wherein she has made direct allegation of rape against the petitioner.

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 daughter 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)

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