

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28993 of 2022

Arising Out of PS. Case No.-33 Year-2020 Thana- BEERPUR District- Begusarai

VIVEK KUMAR S/o Angad Sahni R/o village- Ward No. 04, Laxmipur
Saroja, P.S.- Birpur, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Arvind Kumar, Adv
For the Informant	:	Mr. Raj Kumar, Adv
For the State	:	Ms. Pushpa Sinha, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 03-01-2023 Heard learned counsel for the petitioner and learned APP for the State.

This Court would expect that the petitioner's Counsel would honour his undertaking in the instant proceedings regarding supply of requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

Petitioner seeks bail in connection with Birpur P.S. Case No. 33/2020 registered under Sections 376/34 of Indian Penal Code and Sections 4,8 and 12 of POCSO Act.

The informant's fifteen year old daughter has allegedly been subjected to sexual assault by the petitioner along with others.

The learned counsel for the petitioner submits that the implication is based on extraneous consideration and F.I.R is belated.

Learned A.P.P as well as learned counsel for the informant



submit that the victim has supported the allegations in her statement under Section 164 Cr.P.C. It is further submitted by learned counsel for the informant that the trial has progressed considerably and even statement of the accused under 313 Cr.P.C has been recorded.

Considering the rival submissions, the gravity of allegations coupled with fact that the trial is on the verge of completion, this Court is not inclined to allow the petitioner's prayer for bail.

The application for bail is thus dismissed.

(Madhuresh Prasad, J)

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