

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30155 of 2023

Arising Out of PS. Case No.-2 Year-2023 Thana- GOH District- Aurangabad

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SADDAM KHAN @ GUDDU KHAN SON OF SALIM KHAN Resident of
Village- Damodarpur, P.S.- Goh, District-Aurangabad

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manish Kumar Singh

For the Opposite Party/s : Mr.Uma Shankar Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 16-10-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in a case instituted
for the offence under Sections 354(C)(D), 376 and 506 of the
Indian Penal Code and Section 4 of the POCSO Act.

3. The allegation against the petitioner is of establishing
physical relationship upon the informant after showing her
objectionable video and threatened her to viral the same.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. He submitted that there is a contradiction
between the prosecution case and the victim's statement recorded
u/s 164 of the Cr.P.C. He further submitted that the victim denied
herself to be examined medically in respect of the rape. Petitioner



is languishing in judicial custody since 21.02.2023.

5. Learned APP for the State has opposed the application for bail and submitted that the petitioner is named in the FIR and the victim is a minor girl. The victim's statement has been recorded u/s 164 of the Cr.P.C. in which she stated that the petitioner committed rape upon her against her will and the victim girl supported the allegations made in the prosecution case against the petitioner. During investigation several witnesses have also supported the prosecution case.

6. Having heard the learned counsel for the parties and considering the nature of allegation, 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 conclude the trial expeditiously.

(Sunil Kumar Panwar, J)

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