

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31053 of 2023

Arising Out of PS. Case No.-67 Year-2022 Thana- MAHILA P.S. District- Muzaffarpur

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Aaditya Raj @ Priyanshu @ Aditya Raj @ Priyanshu Son Of Late Subodh Prasad Yadav Resident Of Village- Turki Station Road, Ps Kurhani ,DISTRICT Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pradeep Kumar Sinha
For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 10-08-2023 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 341, 323, 376(c), 504, 506 IPC and Section 4/6 of POCSO Act.

As per prosecution case, the allegation against the petitioner is that he on false pretext of marriage established several times physical relationship with the informant/victim due to which she sustained pregnancy. It is further alleged that on resistance, he used to threaten her of dire consequences.



Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case due to previous land dispute. He has got no criminal antecedent. It is further submitted that the petitioner is languishing in judicial custody since 26.12.2022.

Learned APP appearing for the state has vehemently opposed the prayer of regular bail and submitted that the victim is a minor girl who is aged about 14 years and there is specific allegation of commission of rape levelled against the petitioner. 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 forcibly committed rape with her and also used to threaten her of dire consequences.

Having heard the learned counsel for the parties and considering the fact that there is direct allegation against the petitioner of commission of rape with the informant/victim who is minor, 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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