

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33386 of 2023

Arising Out of PS. Case No.-89 Year-2023 Thana- RAJAON District- Banka

Pradeep Yadav @ Pramod Yadav Son Of Late Anodi Yadav R/O-Uprama,
P.S.-Rajaun, Distt.-Banka

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Davendra Kumar Pandey

For the Opposite Party/s : Mr.Usha Kumari 1

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 30-08-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

2. The petitioner has prayed for bail in connection with
Rajaun P.S. Case No. 89 of 2023 instituted for the offence under
Section 376 of the Indian Penal Code, sections 3(i)(r)(s)(w)/3(ii)
(va) of the SC/ST Act and section 4 of the POCSO Act.

3. As per allegation in the FIR, the petitioner is alleged
to have committed rape with the minor daughter of the informant
who is aged about just 22 months.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and committed no offence. It is also
submitted that the petitioner had given Rs. 2000/- to the
informant as debt and when he demanded the same, some scuffle
took place between them and as a result of which the informant
falsely implicated the petitioner in the present case. The



petitioner has got no criminal antecedent as stated in para-3 of the bail petitioner. Moreover, he is languishing in judicial custody since 20.2.2023.

5. Learned APP appearing for the state and learned counsel for the informant have vehemently opposed the prayer of regular bail and submitted that the informant has made specific & direct gruesome allegation against the petitioner regarding commission of rape with her daughter. The victim/daughter of the informant is aged about hardly 22 months. The restatement of the informant along with witnesses of the case have supported the prosecution. The medical report of the victim also corroborates the prosecution case in which injuries were found on Perineum and Vaginal part of the the victim girl.

6. Having heard the learned counsel for the parties and considering the gravity of the 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 expedite the trial and conclude the same as soon as possible.

(Sunil Kumar Panwar, J)

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