

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32787 of 2023

Arising Out of PS. Case No.-423 Year-2022 Thana- AMAS District- Gaya

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PINTU KUMAR Son of Shri Rajendra Mandal @ Rajendra Manjhi Resident
of village - Chitab Kurd Tar, P.S. - Amas, Distt. - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Md. Javed Jafar Khan

For the Opposite Party/s : Mr.Binod Kumar

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 02-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in connection with Amas P.S. Case No. 423 of 2022 instituted for the offence under Sections 342, 376, 376AB of the Indian Penal Code and sections 4/6 of the POCSO Act.

3. As per allegation in the FIR, the informant who is victim of the case alleged that while she was going to attend nature's call, the petitioner caught and sexually assaulted and committed rape with her. Accordingly, the present FIR has been lodged.

4. Learned counsel for the petitioner submits that the petitioner is innocent and committed no offence. He has falsely been implicated in this case due to dirty village politics. It is



also submitted that the medical report which is annexed with the case diary, did not support the prosecution case. A statement has been made in para-3 of the petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 22.10.2022.

5. Learned APP appearing for the state has opposed the prayer of regular bail and submitted that the informant who is victim of this case has made direct allegation of committing rape against the petitioner. The victim supported the prosecution case in her statement recorded u/s 164 of the Cr.P.C. and stated that the petitioner caught her forcefully and committed rape with her.

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 expedite the trial and conclude the same as soon as possible.

(Sunil Kumar Panwar, J)

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