

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32885 of 2022

Arising Out of PS. Case No.-18 Year-2021 Thana- MAHILA P.S. District- Banka

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ROHIT PANDIT Son of Late Kishun Pandit Resident of Village - Rampur,
P.O.- Chandan (Chanan), P.S.- Chandan (Chanan), Distt.- Banka.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pritish Kumar Lal

For the Opposite Party/s : Mr.Shantanu Kumar

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

3 16-01-2023 Let the defect(s), as pointed out by the office,

be removed within a period of four weeks from today.

Heard learned counsel for the petitioner and

learned A.P.P. for the State.

The petitioner seeks bail in connection with

Special Case No. 23 of 2021 arising out of Banka Mahila

P.S. Case No. 18 of 2021 registered for the offences

punishable under Sections 376 of the Indian Penal Code and

under Section 4 of the POSCO Act.

As per prosecution case, the informant/victim

was alone in her house then the petitioner came to her house

and after threatening the informant/victim, committed rape

upon her. It is further alleged that the petitioner always used



to visit informant's house whenever she was alone and committed rape with her. It is further alleged that the informant/victim became pregnant, then, her parents knew about this occurrence at which the petitioner fled away from his house.

Learned counsel for the petitioner submits that petitioner is in custody since 18.12.2021. Petitioner bears one criminal antecedent. Learned counsel further submits that the petitioner is quite innocent and has committed no offence as alleged in the F.I.R.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner and submits that there is a direct allegation against the petitioner and same is quite consistent with the statement of victim recorded under Section 164 of the Cr.P.C.

Considering the facts and circumstances of the case, nature of allegation against the petitioner coupled with statement of victim recorded under Section 164 of the Cr.P.C., I am not inclined to grant bail to the present petitioner. Accordingly, prayer for bail of the present petitioner stands rejected.



However, learned trial court is directed to expedite
the trial as early as possible.

(Alok Kumar Pandey, J)

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