

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39099 of 2023

Arising Out of PS. Case No.-520 Year-2022 Thana- LAHERIMUHALLA District- Nalanda

Shrawan Kumar @ Sharvan Kumar @ Sharvan Yadav @ Raj @ Shrawan
Yadav Son Of Late Kongras Prasad Yadav @ Kongras Prasad Resident Of
Village - Mangalnagar, P.S - Laheri, District - Nalanda

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Kishor Prasad

For the Opposite Party/s : Mr.Syed Ehteshamuddin

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 14-09-2023 Heard learned counsel for the petitioner and

learned A.P.P appearing on behalf of the State.

The petitioner is languishing in custody in a
case registered for the offences punishable under
Sections 363, 376(D) of the Indian Penal Code, Sections
4/6 of the POCSO Act and Sections 3, 4, 5 of the
Immoral Traffic (Prevention) Act.

It is a case of commission of kidnapping and
rape to the minor daughter of the informant.

It is submitted by learned counsel for the
petitioner that petitioner is innocent and he has falsely



been implicated in this case. The petitioner is not named in the F.I.R and subsequently the name of the petitioner surfaced during investigation. There is no eye witness to the occurrence. For the alleged occurrence of 15.10.2022, the F.I.R was registered on 16.10.2022 without explaining the delay. The age of the victim was found between 18-19 years by the medical board and the doctor has not found any external injury over the body or private parts of the victim. The petitioner is languishing in custody since 21.03.2023.

In contra, learned A.P.P appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner and submitted that the petitioner committed rape with her and thereafter sold her to co-accused Md. Sunni who was engaged in flesh trade and he also established forceful sexual relationship with the victim. The victim in her 164 Cr.P.C statement has also corroborated this fact.

Considering the facts aforesaid, this Court is



not inclined to grant bail to the petitioner.

The prayer for grant of bail to the petitioner stands rejected.

The Trial Court is directed to expedite the trial and conclude the same at the earliest.

(Sunil Kumar Panwar, J)

Shageer/-

U		T	
---	--	---	--

