

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40550 of 2023

Arising Out of PS. Case No.-172 Year-2023 Thana- RIGA District- Sitamarhi

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Keshav Mandal Son Of Arjun Mandal Rewasi, Ps- Riga, Dist- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dwij Raj

For the Opposite Party/s : Mr.Kalyan Shankar

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 09-10-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in connection with
Riga P.S. Case No. 172 of 2023 instituted for the offence under
Sections 376(3) of the Indian Penal Code and Sections 4/6 of
the POCSO Act.

Allegation against the petitioner is that he forcefully
committed rape with the minor daughter of the informant and
also he made obscene video of the victim. It is further alleged
that petitioner threatened the victim not to disclose the same to
anyone.

It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this present case. It
is further submitted that medical report of the victim has not



corroborated with the prosecution version as her age is about 18 to 20 years. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 26.04.2023.

Learned APP appearing for the state has opposed the prayer of regular bail and submitted that the petitioner is named in FIR and as per the statement of the victim recorded under Section 164 of the C.r.P.C., which is annexed in para-28 of the case diary, she specifically stated that this petitioner committed rape with her forcefully.

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.

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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