

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44298 of 2023

Arising Out of PS. Case No.-55 Year-2023 Thana- SARSI District- Purnia

Sunny Kumar Son Of Tulsi Mahto Resident Of Village - Baraina, P.S. - Sarsi,
Distt. - Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Prawesh Kumar

For the Opposite Party/s : Mr.Uday Chand Prasad

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 22-08-2023 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 Section 376 of the Indian Penal Code and Section 4 of the POCSO Act.

It is alleged against the petitioner that he committed 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 was not apprehended from the spot. The victim and the



petitioner are of same caste and when the father of the petitioner denied to get marry his son with the victim, this false case has been registered against the petitioner. The doctor has found the age of the victim between 16-18 years. The petitioner is languishing in custody since 15.03.2023. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

Learned A.P.P appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner and submitted that the specific accusation of committing wrong is against the petitioner and the victim in her 164 Cr.P.C statement has also specifically alleged against the petitioner that he forcefully committed rape upon her.

Considering the fact that thrust of accusation is against the petitioner, 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)

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