

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41602 of 2023

Arising Out of PS. Case No.-146 Year-2023 Thana- RIGA District- Sitamarhi

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Ajit Kumar Son Of Ram Udar Singh Resident Of Village -MANIYARI P.S
Punaura, Distt- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ritesh Kumar Narain Singh

For the Opposite Party/s : Mr.Jitendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 23-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 366A, 376, 34 of the Indian Penal Code and Section 4/6 of POCSO Act.

As per prosecution case, the allegation against the accused persons including the petitioner is that they abducted daughter of the informant due to ulterior motives. It is further alleged that petitioner, his brother and other companions committed rape and took naked photograph of the victim.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. He has got no criminal



antecedent. It is further submitted that the petitioner is languishing in judicial custody since 05.04.2023.

Learned APP appearing for the state and learned counsel for the informant have vehemently opposed the prayer of regular bail and submitted that there is direct allegation of commission of rape levelled against the petitioner due to which the victim sustained pregnancy. As per statement of the victim recorded under Section 164 of the Cr.P.C., which is annexed with case diary wherein she has stated that the petitioner forcibly several times committed rape with her and also used to assault her.

Having heard the learned counsel for the parties and considering the fact that there is direct allegation against the petitioner of commission of rape, 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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