

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40531 of 2023

Arising Out of PS. Case No.-283 Year-2022 Thana- PIPRA District- Supaul

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PRAKASH SAH @ JAY PARAKASH SAH son of Bechan Sah Village-
Dulari Ward No-15, Ps- Pipra Dist-Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Raj Kishore Prasad

For the Opposite Party/s : Mr.Atul Chandra

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 28-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in a case instituted
for the offence under Sections 341, 342, 323, 354B, 376AB of the
Indian Penal Code and Section 8 of the POCSO Act.

3. The allegation against the petitioner is of outraging
the modesty to the informant's daughter and committing rape upon
her, when she was alone in her house.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. Petitioner is a married man and he has two
sons, they lived happy conjugal life. He submitted that the Medical
report of the victim does not support the prosecution case.
Petitioner is languishing in judicial custody since 01.12.2022.



5. Learned APP for the State has opposed the application for bail and submitted that the petitioner is named in the FIR. He submitted that the victim is a minor girl and her statement has been recorded u/s 164 of the Cr.P.C., in which she specifically stated that this petitioner committed rape with her after undressed her cloth, which corroborates the prosecution case. During investigation several witnesses have also supported the prosecution case.

6. 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.

7. The trial Court is directed to conclude the trial expeditiously.

(Sunil Kumar Panwar, J)

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