

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43689 of 2023

Arising Out of PS. Case No.-45 Year-2022 Thana- MAHILA P.S. District- Siwan

Sohail Ali @ Sohail Raja S/O Abdul Hamid R/O Village- Lakari, Ps.
Basantpur (LAKARI Nabiganj), Dist. Siwan

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arbind Kumar Singh

For the Opposite Party/s : Mr.Ajit Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 08-08-2023 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 323, 376, 506 of the Indian Penal Code and Sections 4/6 of the POCSO Act.

As per FIR, the allegation against the petitioner is that he kidnapped minor daughter of the informant and took her to remote area and committed rape with her.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case merely on the basis of suspicion. He has got no criminal antecedent. It is further



submitted that the petitioner is languishing in judicial custody since 20.03.2023.

Learned APP appearing for the state has opposed the prayer of regular bail and submitted that victim is a minor girl and there is direct allegation of commission of rape levelled against the petitioner. 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 abducted, assaulted and committed rape with 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 with the informant's minor daughter, 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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