

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44964 of 2023

Arising Out of PS. Case No.-41 Year-2023 Thana- PURAINI District- Madhepura

VIKASH KUMAR Son of Late Kapil Dev Poddar Resident of village -
Puraini @ Purani, P.S. - Puraini, Distt. - Madhepura

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bam Bahadur Jha

For the Opposite Party/s : Mr.Tapeshwar Sharma

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 21-08-2023 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 376/34 of the Indian Penal Code
and Section 4 of the POCSO Act.

3. The allegation against the petitioner is of establishing
physical relation with the daughter of the informant.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case due to dirty
village politics. He has committed no offence. He submitted that
petitioner has got no criminal antecedent as stated in para-3 of the
bail petition. Petitioner is languishing in judicial custody since
22.02.2023.

5. Learned APP for the State has opposed the



application for bail and submitted that petitioner is named in the FIR and the statement of the victim, which has been recorded u/s 164 of the Cr.P.C., she specifically stated that the petitioner taken away her on a motorcycle in a maize field and committed rape upon her, 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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