

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46772 of 2023

Arising Out of PS. Case No.-65 Year-2023 Thana- KARAHGAR District- Rohtas

Prem Prakash Sah @ Prem Sah Son Of Late Deo Raj Sah Resident Of Village
- Sahuar, P.O. And P.S.- Kargahar, District - Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Dudh Nath Singh, Advocate
For the Informant/s	:	Mr. Rabindra Kumar, Advocate
For the State	:	Mr. Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 28-08-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since 25.02.2023 in connection with Kargahar P.S. Case No. 65 of 2023, F.I.R. dated 25.02.2023 for the offences punishable under Sections 376(AB) of the Indian Penal Code along with Section 6 of the POCSO Act.

3. According to prosecution case, the daughter of the informant was sexually assaulted by the petitioner.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that the allegation as alleged in the F.I.R., is false and fabricated and the



petitioner has not committed any offence as alleged in the F.I.R.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that there is direct and specific allegation against the petitioner that he has sexually assaulted the victim. He further submits that statement of the victim was recorded under Section 164 of the Cr.P.C., in which she has categorically stated that the petitioner has done wrong with her and the medical report of the victim also suggest that the victim was sexually assaulted by the petitioner.

6. Considering the report of the learned Trial Court, I am not inclined to enlarge the petitioner on bail in connection with Kargahar P.S. Case No. 65 of 2023 pending in the court of learned Additional Sessions Judge – VIth – cum- Exclusive Special Court, POCSO, Rohtas at Sasaram.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

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