

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45347 of 2022

Arising Out of PS. Case No.-66 Year-2021 Thana- MAHILA P.S. District- Kaimur (Bhabua)

VINOD KUMAR Son of Antu Bind Resident of Village - Pangaiya, P.S.-
Sonhan (Bhabhua), District - Kaimur at Bhabhua.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Santosh Kumar Pandey

For the Opposite Party/s : Mr.Prem Kumar Jha

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 06-07-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

The petitioner has prayed for bail in connection with
Mahila P.S. Case no. 66 of 2021 instituted for the offence under
Sections 323, 341, 376, 366A/34, 504, 506 of the Indian Penal
Code and Section 4 of the POCSO Act.

As per prosecution case, the complainant who is
victim of this case alleged that while she went for attend call of
nature, meanwhile the petitioner along with others came there
and taken her forcibly and committed rape upon her. Thereafter,
this complaint has been filed.

Learned counsel for the petitioner submits that the
petitioner is innocent and committed no offence. He has falsely
been implicated in this case due to dirty village politics. As a
matter of fact, there is love affairs between the alleged victim



and the petitioner but undue pressure, she lodged this case. The petitioner has got no criminal antecedent as stated in para-3 of the petitioner. Moreover, the petitioner is languishing in judicial custody since 9.3.2022.

Learned APP appearing for the state and learned counsel for the informant have vehemently opposed the prayer of regular bail and submitted that the victim girl supported the prosecution case and made direct allegation against this petitioner in her statement recorded u/s 164 of the Cr.P.C. The victim stated that this petitioner along with one co-accused took her after wrapping her mouth and committed rape with her. It is further submitted that witness of this case also support the prosecution.

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.

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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