

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46572 of 2022

Arising Out of PS. Case No.-71 Year-2022 Thana- LAUKAHI District- Madhubani

Pawan Kumar Sah S/O Late Narayan Sah Resident Of Village- Bachhauni,
Police Station- Phulparas, District- Madhubani.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abu Nasar

For the Opposite Party/s : Mr.Lalan Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 23-02-2023 Heard learned counsel for the petitioner and

learned A.P.P appearing on behalf of the State.

The petitioner is languishing in custody in a case registered for the offences punishable under Section 376 of the Indian Penal Code, Sections 67, 67(A) of the I.T. Act and Section 4 of the POCSO Act.

It is a case of commission of rape to the minor daughter of the informant and uploading the picture and vulgar comments by the petitioner.

It is submitted by learned counsel for the petitioner that petitioner is innocent and he has falsely been implicated in this case. It is further submitted that



informant insisted the petitioner for marrying with her daughter and when the petitioner denied, this false case has been lodged against the petitioner. The victim has been medically examined where the doctor did not find any sexual assault and the age of the victim was found between 19-20 years. The petitioner is languishing in custody since 25.03.2022. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

Learned A.P.P appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner and submitted that the victim in her 164 Cr.P.C statement has specifically alleged against the petitioner that he forcefully committed rape upon her.

The report of the trial Court dated 07.02.2023 suggests that trial will be concluded within four months.

Considering the fact that thrust of accusation is against the petitioner, this Court is not inclined to grant bail to the petitioner.



The prayer for grant of bail to the petitioner stands rejected.

The Trial Court is directed to expedite the trial and conclude the same within the time specified in the report dated 07.02.2023.

(Sunil Kumar Panwar, J)

Shageer/-

U		T	
---	--	---	--

