

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48093 of 2023

Arising Out of PS. Case No.-221 Year-2022 Thana- EKANGARSARAI District- Nalanda

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VINAY PRASAD YADAV @ VINAY PRASAD Son of Ram Pravesh Singh
Resident of Village-Jaitipur, P.S.-Telhara, District-Nalanda

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anil Chandra

For the Opposite Party/s : Mr.Satyendra Prasad

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 05-09-2023 Heard learned counsel for the petitioner, informant and
learned APP for the State.

2. The petitioner has prayed for bail in a case instituted
for the offence under Sections 376(AB), 120B/34 of the Indian
Penal Code and Sections 4/6 of the POCSO Act.

3. The allegation against the petitioner along with
another is of committing rape upon the *cousin* of the informant.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. He submitted that there has been delay of
20 days in lodging the FIR. Petitioner is languishing in judicial
custody since 05.09.2022.

5. Learned APP for the State and learned counsel for the
informant have opposed the application for bail and submitted that



the petitioner is named in the FIR. The statement of the victim has been recorded u/s 164 of the Cr.P.C., in which she specifically stated that the petitioner committed rape upon her without her consent, which corroborates the prosecution case. He further submitted that the victim is a minor girl, who is aged about 13 years. 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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