

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48117 of 2023

Arising Out of PS. Case No.-52 Year-2023 Thana- KUNDWACHAINPUR District- East
Champaran

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Pawan Kumar Son Of Ram Prasad Sah Resident Of Village Jatwaliya Police
Station Kundwa Chainpur, District- East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shanti Kumari D/O Of Bhupendra Sah Resident Of Village- Jatwaliya, P.S.-
Kundwa Chainpur, District- East Champaran

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Md. Anis Akhtar

For the Opposite Party/s : Mr.Binod Kumar

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 30-08-2023 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

Sections 376, 506 of the Indian Penal Code and

Sections 66(E), 67, 67(A) of the Information Technology

Act.

It is alleged against the petitioner that he

forcefully committed rape upon the informant and took

the obscene picture. He thereafter committed rape



several times on the pretext of getting the obscene picture/video of the informant viral.

It is submitted by learned counsel for the petitioner that petitioner is innocent and he has falsely been implicated in this case. The occurrence took place on 21.03.2023 but the F.I.R was registered on 28.03.2023 without explaining the delay. The victim was medically examined and she was found aged about 20 years and no sign of recent sexual assault was found on the body of the victim. The petitioner is languishing in custody since 29.03.2023.

Learned A.P.P appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner and submitted that the specific accusation of committing wrong is against the petitioner and the victim in her 164 Cr.P.C statement has also specifically alleged against the petitioner that he forcefully committed rape upon her. It is further submitted that victim is unmarried girl.



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 at the earliest.

(Sunil Kumar Panwar, J)

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