

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47255 of 2022

Arising Out of PS. Case No.-30 Year-2022 Thana- MAHILA P.S. District- Saharsa

GOVIND SAH S/o Binod Sah Resident of Village- Telwa, P.S.- Jalai, District
- Saharsa.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhola Prasad

For the Opposite Party/s : Mr. Jai Narain Thakur

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 06-02-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under Sections 341, 376AB and 506 of the Indian Penal Code and Section 4, 6 of POCSO Act.

As per prosecution, it is a case of commission of rape by the petitioner with the victim.

Learned counsel for the petitioner submits that the petitioner has no criminal antecedent. He has falsely been implicated in this case and none of the witnesses supported factum of allegation. Medical report also not supported the prosecution case. It is further submitted that the petitioner is languishing in judicial custody since 15.06.2022.



Learned APP appearing for the State has opposed the prayer of regular bail and submitted that victim in her statement recorded under Section 164 of Cr.P.C. specifically stated that petitioner had committed rape without her consent and confined in room. It is also submitted that during investigation petitioner is named in the FIR. Victim is minor aged girl.

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 early as possible.

(Sunil Kumar Panwar, J)

Ranjeet/-

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