

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49265 of 2023

Arising Out of PS. Case No.-58 Year-2022 Thana- CHANDAN District- Banka

Basudeo Pattidar @ Basodeo Pattidar Son of Sri Basanti Lal Resident of
House No. 107, Village - Dalam, P.S. - Meru, Distt. - Mandsoor, State -
Madhya Pradesh

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Thakur, Advocate
Mrs. Vaishnavi Singh, Advocate
For the Opposite Party/s : Mr. Anil Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 27-09-2023 Heard Mr. Ajay Kumar Thakur, learned counsel for
the petitioner and learned Additional Public Prosecutor for the
State.

2. Petitioner seeks bail who is in custody since
13.03.2023 in connection with Chandan P.S. Case No. 58 of
2022, F.I.R. dated 20.03.2022 for the offences punishable under
Sections 364, 302, 376 (D.B.) and 201 of the Indian Penal Code
and Section 4 of the POCSO Act but the police have submitted
charge sheet under Sections 364, 302, 376(D.B.), 201 and
120(B) of the Indian Penal Code and Section 4 of the POCSO
Act.

3. According to prosecution case, this petitioner along
with other accused persons ravished and killed the niece of the



informant aged about 8 years. It is further alleged that the dead body was recovered in mutilated condition in a canal covered with sand.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offences as alleged in the F.I.R. He further submits that the petitioner is not named in the F.I.R. and the name of the petitioner has been transpired during investigation and in fact, the petitioner is posted as RPF and he has no concern at all with the alleged occurrence.

5. The learned Additional Public Prosecutor on the basis of material available on record and case diary has vehemently opposed the prayer for bail of the petitioner and submits that with the help of other material available on record and the expert of Forensic Science Laboratory as well as CDR report suggest that the petitioner was involved in the present crime in question and the blood group of the victim suggest that her blood was also found in the barrack of the petitioner and other materials also suggest that the petitioner was involved in the present crime in question.



7. Considering the aforesaid facts and circumstances,
I am not inclined to enlarge the petitioner on bail in connection
with Chandan P.S. Case No. 58 of 2022 pending in the court of
learned Additional Sessions Judge-6-cum-Special Judge
POCSO, Banka.

8. Prayer is refused.

(Rajesh Kumar Verma, J)

Vanisha/-

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

