

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47897 of 2022

Arising Out of PS. Case No.-147 Year-2022 Thana- PHULPARAS District- Madhubani

Dharmendra Yadav @ Dharmendra Kumar Yadav @ Chhotu S/O Brij Bihari
Yadav Resident Of Village- Ram Nagar, P.S.- Phulparas, District- Madhubani.
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hriday Narayan Harshit
For the Opposite Party/s : Mr.Bharat Bhushan

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 04-02-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

The petitioner has filed the instant application for grant of regular bail in a case registered for the offences punishable under Section 376 of the Indian Penal Code and Section 8 of the POCSO Act.

The prosecution case in nutshell is that while the minor daughter of the informant was playing, petitioner ravished her.

It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. In the medical examination of the victim girl there is no any sign of sexual assault and no any independent witness has



supported the prosecution version of the case. Moreover, Petitioner is in judicial custody since 13.06.2022.

Learned APP appearing on behalf of the State and learned counsel for the informant have vehemently opposed the prayer of the petitioner and submitted that the victim in her statement, recorded under Section 164 of Cr.P.C, has stated about the complicity of the petitioner. She stated that petitioner has committed rape with her and when she raised protest then petitioner assaulted her by slap and threatened her.

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.

Learned trial court is directed to expedite the trial and conclude the same as early as possible.

(Sunil Kumar Panwar, J)

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