

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.49342 of 2023**

Arising Out of PS. Case No.-26 Year-2023 Thana- KOTHI District- Gaya

Vinod Kumar Son Of Inar Bhuiyan @ Indar Bhuiyan Resident Of Village-  
Shiva, Ps- Kothi, Distt- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Promad Kumar Singh  
For the Opposite Party/s : Mr.Yogendra Kumar

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

3      06-11-2023                      Heard learned counsel for the petitioner and learned  
APP for the State.

The petitioner has prayed for bail in connection with  
Kothi P.S. Case. No. 26 of 2023 instituted for the offence under  
Section 376(D) of the Indian Penal Code and Sections 4 and 6  
of the POCSO Act.

Allegation against the petitioner along with one co-  
accused, namely, Akhilesh Kumar is that they committed rape  
with the informant's minor daughter one by one.

It is submitted by learned counsel for the petitioner  
that petitioner has been falsely implicated in this present case.  
Medical report has not supported the prosecution case. A  
statement has been made in para-3 of this petition that the  
petitioner has got no criminal antecedent. Moreover, he is



languishing in judicial custody since 15.03.2023.

Learned APP appearing for the state has opposed the prayer of regular bail and submitted that the petitioner is named in FIR and further the statement of the victim recorded under Section 164 of the Cr.P.C. in which she specifically stated that the petitioner along with one co-accused committed wrong with her. During investigation, witnesses supported the prosecution version and also the victim is minor aged about 17 years.

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 soon as possible.

**(Sunil Kumar Panwar, J)**

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