

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54088 of 2023

Arising Out of PS. Case No.-52 Year-2021 Thana- MAHILA P.S. District- Araria

Santosh Kumar Pandey @ Santosh Pandey Son Of Late Mahadev Pandey
Mohalla- Subash Chowk Ward No-1, Ps- Forbesganj Dist- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Singh

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

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 18-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in connection with
Mahila P.S. Case No. 52 of 2021 instituted for the offence under
Sections 376(3) and 342 of the Indian Penal Code and Section
4 of the POCSO Act.

Allegation against the petitioner is that he committed
rape with the victim who is aged about 15 years.

It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this present case
due to village politics. It is further submitted that the victim
herself fled from her house because her parents used to beat her
for the love affairs of the victim with one Ashish Kumar.
Moreover, the petitioner is languishing in judicial custody since



19.10.2022.

Learned APP appearing for the state has opposed the prayer of regular bail and submitted that the petitioner is named in FIR and the statement of the victim has been recorded under sections 164 and 161 of the Cr.P.C., in which she specifically stated that this petitioner committed rape with her. The victim is minor who is aged about 15 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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