

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51097 of 2023

Arising Out of PS. Case No.-22 Year-2023 Thana- MAHILA PS District- Gaya

Shankar Ravidas @ Shankar Das Son Of Chandradev Ravidas @ Chandradev
Das Resident Of Village - Diwaniya, P.S. - Dhangai, Distt. - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kunal Tiwary

For the Opposite Party/s : Mr.Nand Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 04-10-2023 Heard learned counsel for the petitioner and
learned APP for the State.

The instant application for regular bail has been
filed by the petitioner instituted for the offence punishable
under Sections 376, 376(3), 504, 506 of the Indian Penal
Code and Section 4/6 of POCSO Act.

It is a case of commission of rape with the
petitioner's younger sister by the petitioner. The thrust of
accusation is that petitioner forcefully took the informant's
younger sister to a nearby field when she has gone to attend
the call of nature and ravished her. It is further alleged that
when the informant went to the house of petitioner to
inquire the same, he was badly abused by the petitioner and



was threatened of dire consequences.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. There is inordinate delay of 8 days in lodging the FIR. The present case has been lodged in background of land dispute between the parties. Informant is not the eye witness of the alleged occurrence. Petitioner has got no criminal antecedent and languishing in judicial custody since 21.03.2023.

Learned APP appearing for the State has opposed the prayer of bail and submitted that the victim has specifically whispered about the complicity of petitioner in the alleged offence in her statement recorded under Section 164 Cr.P.C. She has stated that petitioner has committed rape twice with her. During investigation, several witnesses have supported the prosecution case.

Having heard learned counsel for the parties and taking into consideration that there is direct allegation of committing rape against the petitioner upon the informant's sister, I am not inclined to grant bail to the petitioner and, as such, his application for bail is rejected.



The trial court is directed to expedite and
conclude the trial.

(Sunil Kumar Panwar, J)

sushma/-

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

