

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52714 of 2023

Arising Out of PS. Case No.-126 Year-2023 Thana- DHANARUA District- Patna

Jaiki Kumar S/O Sanjit Prasad R/O Village- Ranipur Paijwa, Ps. Byepass,
Distt. Patna

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar No1

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 31-10-2023 Heard learned counsel for the petitioner, learned counsel
for the informant and learned APP for the State

2. The petitioner has prayed for bail in connection with Dhanarua P.S. Case No. 126 of 2023 instituted for the offence under Section 376 of the Indian Penal Code and Section 4 of the POCSO Act.

3. According to the FIR, while the daughter of the informant was cooking food, meanwhile the petitioner entered in house and took her forcibly to paddy field after tied her mouth, thereafter, he committed rape with the victim and also threatened her.

4. Learned counsel for the petitioner submits that the petitioner is innocent and committed no offence. He has falsely been implicated in this case due to dirty village politics. It is



also submitted vide para-15 of the petition that sister of the petitioner was married with one Sunil Kumar in the village of the victim on 2.3.2023 and just after few days on 9.3.2023, the victim have alleged that the petitioner and his newly brother-in-law have committed rape with her. The petitioner has got no criminal antecedent as stated in para-3 of the bail petition. Moreover, he is languishing in judicial custody since 11.3.2023.

5. Learned APP appearing for the state and learned counsel for the informant have vehemently opposed the prayer of regular bail and submitted that the petitioner is named in the FIR who has specifically been alleged to commit rape with the victim. The victim girl supports the prosecution allegation in her statement recorded u/s 161 & 164 of the Cr.P.C. in which she stated the the co-accused Sunil Kumar forcibly took away her in the field where, petitioner committed rape with her. It is further submitted that witnesses of this have also supported the prosecution case.

6. Having heard the learned counsel for the parties and considering the fact that there is specific allegation of rape against the petitioner, this court is not inclined to enlarge the petitioner on bail and, as such, his prayer for bail stands rejected.



7. 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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