

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51768 of 2022

Arising Out of PS. Case No.-33 Year-2022 Thana- MAHILA PS District- Buxar

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VINOD KUMAR SINGH Son of Late Yugal singh Resident of Village and
Post office and Police Station - Rajpur, District- Buxar.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Dr. Shraddhanand Paswan, Advocate

For the Opposite Party/s : Mr. Rajendra Nath Jha, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

4 21-02-2023 Heard learned counsel for the petitioner and the

learned APP for the State.

Petitioner seeks regular bail in connection with
Mahila P.S. Case No. 33 of 2022 registered for the offences
punishable under Sections 376(D), 323, 120B and 34 of the
Indian Penal Code and Section 4 of the POCSO Act.

As per the prosecution, the informant(victim) alleged
that this petitioner (father of the victims) committed rape on
both the victims after administering them with sleeping pills and
the same crime of rape was committed for years. Further this
petitioner is also alleged to have illicit relationship with this
victim's Aunt (Mausi).

The main submissions advanced by the learned
counsel Dr. Shraddhanand Paswan for the petitioner are that the



FIR was lodged after the delay of 18 to 19 days from the alleged date of occurrence and the FIR was lodged at the instance of one person namely Jailal Singh with whom the informant and the other so-called victim had illicit relationship and the said fact was supported by one witness namely Dharamshila Devi during investigation who was the house owner where both the victims resided and when the petitioner who happens to be father of the so-called victims objected to the illicit relationship between his daughters and the said Jailal Singh then the FIR was falsely lodged with a false allegation at the instance of said Jailal Singh and the petitioner is a registered medical practitioner and has been languishing in jail since 20.05.2022.

Learned APP Mr. Rajendra Nath Jha appearing for the State has opposed the bail prayer.

Heard both the sides and perused the FIR. The FIR has been registered against the petitioner by his own two minor daughters and they made serious allegation of sexual exploitation against this petitioner and other co-accused persons and both the victims were being exploited physically by this petitioner and one co-accused namely Ajay Gupta for a long period. This petitioner not only helped the main co-accused in committing the alleged occurrence of rape with his minor



daughters but also himself committed the said exploitation. In view of the seriousness of the allegation which relates to heinous offence of rape allegedly committed by petitioner with his own two minor daughters, in the opinion of this Court the petitioner does not deserve to the privilege of bail. Accordingly, his bail prayer stands rejected.

As according to submission made by learned counsel for the petitioner the investigation has been completed, hence Court below is directed to expedite the trial of this petitioner and take steps to conclude the same within the next one year.

(Shailendra Singh, J)

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