

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53758 of 2023**

Arising Out of PS. Case No.-42 Year-2023 Thana- AGIAON BAZAR District-
Bhojpur

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MANOJ YADAV @ MANOJ KUMAR SON OF JUDGE SINGH RESIDENT OF
VILLAGE- SUGIWAL, PS- AGION BAZAR, DISTT- BHOJPUR

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Raju Kumar Singh

For the Opposite Party/s : Mr.Ram Priya Sharan Singh

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 26-09-2023 Heard Mr. Raju Kumar Singh, learned counsel for

the petitioner and Mr. Ram Priya Sharan Singh, learned A.P.P.

for the State.

The petitioner seeks bail in connection with Agion
Bazar P.S. Case No. 42 of 2023 registered for the offence
under Sections 376 of the Indian Penal Code and 4/6 of the
POCSO Act.

The minor daughter of the informant is alleged to
have been raped by the petitioner.

Learned counsel appearing for the petitioner
submits that the petitioner, who is of clean antecedent, is
innocent and has falsely been implicated in this case. He
further submits that the allegation, as alleged in the F.I.R., is



false and fabricated and the petitioner has not committed any offence. He further submits that the petitioner and the informant are next door neighbor and there was some dispute between them due to which the petitioner has been made accused in this case. He further submits that the allegation as alleged in the F.I.R. does not corroborate with the medical report. The petitioner is rotting in judicial custody since 09.02.2023.

Learned A.P.P. for the State on the basis of material available on record and the case diary vehemently opposed the prayer for bail of the petitioner and submits that there is direct allegation of commission of rape upon the minor daughter of the informant against the petitioner. The victim in her statement recorded under Section 164 Cr.P.C. has categorically stated that the petitioner has brought her to the field of wheat and committed rape upon her. He further submits that the victim was medically examined and she was found minor at the time of occurrence. He further submits that the trial of case has got substantial progress and is likely to be concluded soon.

Considering the nature of allegation of rape upon the minor victim, this Court is not inclined to enlarge the



petitioner on bail. Accordingly, the prayer for bail of this
petitioner is rejected.

However, learned trial court is directed to expedite
the trial and try to conclude it at the earliest.

(Rajesh Kumar Verma, J)

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