

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53500 of 2022

Arising Out of PS. Case No.-12 Year-2022 Thana- PARSA District- Saran

Govinda Kumar S/O Shivpujan Rai Resident Of Village- Brahmpur, P.S.-
Parsa, District- Saran At Chapra.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Atul Shankar

For the Opposite Party/s : Mr.Nand Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 03-04-2023 Heard learned counsel for the petitioner,

informant and learned A.P.P appearing on behalf of the

State.

The petitioner is languishing in custody in a

case registered for the offences punishable under

Sections 363, 366, 376 of the Indian Penal Code and

Sections 4/5 of the POCSO Act.

It is a case of commission of kidnapping and

rape to the minor daughter of the informant.

It is submitted by learned counsel for the

petitioner that petitioner is innocent and he has falsely

been implicated in this case. The petitioner and the



victim were in love with each other and the victim went along with the petitioner with her own volition. The doctor has found the age of the victim to be 20 years. The petitioner is languishing in custody since 30.03.2022. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

Learned counsel appearing on behalf of the informant and learned A.P.P appearing on behalf of the State have vehemently opposed the prayer for bail of the petitioner and submitted that the specific accusation of committing wrong is against the petitioner and the victim in her 164 Cr.P.C statement has also specifically alleged against the petitioner that he forcefully committed rape upon her. It is further submitted that victim is unmarried but the medical report of the victim indicates that her hymen was seen ruptured.

Considering the fact that thrust of accusation is against the petitioner, this Court is not inclined to grant bail to the petitioner.



The prayer for grant of bail to the petitioner stands rejected.

The Trial Court is directed to expedite the trial and conclude the same within a period of six months.

The petitioner will be at liberty to renew his prayer for bail if the trial is not concluded within six months.

(Sunil Kumar Panwar, J)

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