

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53325 of 2023**

Arising Out of PS. Case No.-179 Year-2023 Thana- NAWANAGAR District- Buxar

Prayag Kumar Son Of Udit Chandravanshi @ Udit Prasad Resident Of
Village - Kaisath, Police Statioin - Nawanagar In The District Of Buxar

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar

For the Opposite Party/s : Mr.Usha Kumari 1

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

4 06-11-2023 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 Nawanagar P.S. Case No. 179 of 2023 instituted for the offence under Sections 376, 313 506/34 of the Indian Penal Code, Sections 4 of the POCSO Act and sections 3(I)(r)(s), 3(2)(v) of the SC/ST Act.

3. According to the FIR, the petitioner is alleged to have established physical relation with informant/victim on the behest of solemnization of marriage. When she got pregnant, the petitioner denied to marriage with 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. The medical report of the victim has not supported the prosecution case. A statement has been made in para-3 of the petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 3.6.2023.

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 upon whom the specific allegation of rape has been made. The victim girl supports the prosecution allegation in her statement recorded u/s 164 of the Cr.P.C. in which she stated the the petitioner made physical relation with her forcefully and threatened her, if she tells anyone, he would kill her. The victim girl also stated her age about 14 years which is also mentioned in her educational certificate. 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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