

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53731 of 2023

Arising Out of PS. Case No.-283 Year-2023 Thana- SHRIKRISHNAPURI District- Patna

Shashi Kant Yadav S/O Baban Singh R/O Village- Khurd Reriya, Ps. Chenari,
Dist. Rohtas At Present Near Gali Of Chasma Centre Kurji, Ps. Digha, Dist.
Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Jitendra Prasad Singh with Mr. Rajeev Kumar, Advocates
For the Opposite Party/s	:	Mr. Ramchandra Sahni, APP
For the Informant	:	Mr. Suryakant Mishra, Advocate

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 31-10-2023 Heard learned counsel for the petitioner, informant and
learned APP for the State.

2. The petitioner has prayed for bail in a case instituted
for the offence under Section 376 of the Indian Penal Code and
Sections 4 and 6 of the POCSO Act.

3. The allegation against the petitioner is of establishing
physical relationship with the minor daughter of the informant.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. He submitted that the victim is aged about
17 to 18 years, which seems to be major. He further submitted that
there is a consensual relationship between the parties and the
Medical report also not corroborated the prosecution case.



Petitioner is languishing in judicial custody since 08.06.2023.

5. Learned APP for the State and learned counsel for the informant have opposed the application for bail and submitted that petitioner is named in the FIR. They submitted that there is specific allegation against the petitioner of committing rape upon the victim after threatening her to viral her objectionable video and photo. The statements of the victim recorded u/s 161 and 164 of the Cr.P.C., which corroborates the prosecution case in respect of commission of rape upon the victim by this petitioner. During investigation several witnesses have also supported the prosecution case.

6. Having heard the learned counsel for the parties and considering the nature of allegation, 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 conclude the trial expeditiously.

(Sunil Kumar Panwar, J)

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