

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.54150 of 2022**

Arising Out of PS. Case No.-271 Year-2022 Thana- KAUWAKOL District- Nawada

PANKAJ SINGH Son of Karu Singh Resident of Village - Dhanua, P.s.-  
Rupo, Distt.- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Uma Shankar Sharma

For the Opposite Party/s : Mr.Bharat Bhushan

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

4      16-03-2023                      Heard learned counsel for the petitioner, learned  
counsel for the informant and learned APP for the State.

The petitioner has prayed for regular bail in a case  
registered for the offence punishable under section 376 of the  
Indian Penal Code and Section 4/6 of the POCSO Act.

The prosecution case, in brief, is that the informant  
alleged that when her *nanad*, aged about 13 years, went to tie  
her goats in the field, in the meantime, the petitioner pressed  
her mouth and took her in the field, thereafter, he committed  
rape with the victim.

Learned counsel for the petitioner submits that the  
petitioner is innocent and has committed no offence. He has  
falsely been implicated in this case. It is further submitted



that the medical report of the victim does not support the prosecution versions just because the doctor did not find any external or internal injury on the body of the victim. Learned counsel further submits that the accused petitioner apprehended on 22.5.2022 itself, but he was not medically examined which violates Section 53(A) of Cr.P.C. A statement has been made in para-3 of the petition that the petitioner has got no criminal antecedent and languishing in judicial custody since 22.5.2022.

Learned APP appearing for the state and learned counsel for the informant have vehemently opposed the prayer of regular bail and submitted that the statement of victim recorded under section 164 of Cr.P.C. supports the prosecution versions, wherein, she made direct allegation of rape against the petitioner. She further stated that the petitioner took her in the field forcefully and committed rape with her. The prosecution witness also corroborates the prosecution story.

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.

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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