

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54228 of 2023

Arising Out of PS. Case No.-222 Year-2022 Thana- RAJEPUR District- East Champaran

Sachin Kumar Son of Gagandeo Prasad R/o vill - Baburban, P.s. - Rajepur,
Distt. - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Kumar No.1

For the Opposite Party/s : Mr.Umesh Lal Verma

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 20-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in connection with
Rajepur P.S. Case No. 222 of 2022 instituted for the offence
under Sections 354(B), 376/34 of the Indian Penal Code and
Sections 4, 6 and 8 of the POCSO Act.

As per allegation in the F.I.R., the petitioner along
with co-accused kidnapped the informant's minor daughter aged
about 15 years and his niece aged about 17 years at about 8 P.M.
on 26.12.2022, while they had been out of their house for the
purpose of attending nature's call and then petitioner Sachin
Kumar committed rape with the informant's daughter.

It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this present case



due to village politics. It is further submitted that the medical report of the victim does not support the prosecution case. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 23.01.2023.

Learned APP appearing for the state has opposed the prayer of regular bail and submitted that the victim girls have supported the prosecution version and one of the victim (informant's daughter) in her statement recorded under Section 164 of the Cr.P.C., has stated that this petitioner committed rape with her. It is also submitted that victim is minor according to her statement.

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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