

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62560 of 2023

Arising Out of PS. Case No.-58 Year-2023 Thana- GAURICHAK District- Patna

Sohan Ram @ Sohan Kumar Son Of Mithilesh Ram @ Mithilesh Kumar
Resident Of Dariyapur, P.S. Gaurichk, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Fulan Sao Son Of Late Jagruk Sao R/O Village- Dariyapur, P.S. Gaurichak,
Dist.- Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gajanan Mishra

For the Opposite Party/s : Mr.Narsingh Tanti

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 18-12-2023 Heard learned counsel for the petitioner 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 376(A)(B) of the Indian Penal Code and

Sections 4/5 of the POCSO Act.

It is a case of commission of rape with the

minor daughter of the informant aged about six years by

the petitioner.

It is submitted by learned counsel for the

petitioner that petitioner is innocent and he has falsely



been implicated in this case. There is contradiction in the statement of the victim recorded under Section 161 of the Cr.P.C. The medical report of the victim also does not suggest any kind of injury on the external part of body of the victim. The petitioner is a young boy aged about 20 years and in the background of some village politics, he has been made accused in this case. The petitioner is languishing in custody since 28.01.2023. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

In contra, learned A.P.P appearing on behalf of the State has 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 corroborate the prosecution case. Moreover, charge-sheet has also been submitted under Section 376 I.P.C.

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 at the earliest.

(Sunil Kumar Panwar, J)

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