

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62918 of 2023

Arising Out of PS. Case No.-37 Year-2023 Thana- TARAPUR District- Munger

SATYAJEET KUMAR SINGH Son of Chitranjan Kr. Singh R/o village -
Dharhara, P.S. - Gopulpur, Distt. - Bhagalpur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Suresh Prasad Sah @ Baranwal, Advocate
For the Opposite Party/s : Mr. Jagdhar Prasad, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 06-12-2023

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Tarapur P.S. Case no.37 of 2023 registered under section 376(DA) of the Indian Penal Code and under section 4 of the POCSO Act.

3. As per the prosecution case, the four named accused persons including the petitioner herein are said to have committed rape on the daughter of the informant.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. Her statement was recorded under section 164 Cr.P.C. and she was medically examined. The story narrated in the F.I.R. and the statement under section 164 Cr.P.C. are at variance in so far as while in the F.I.R. four accused persons have been named, in the



statement under section 164 Cr.P.C., she states about three accused persons but does not name anyone. The narration of the occurrence is also different. The medical report (Annexure-3) shows her age to be 19-20 years and it does not support the prosecution case as in the opinion of doctor, rape could not be confirmed. The petitioner is in custody since 22.2.2023.

5. Heard learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegation of rape against this petitioner along with three others, the victim having supported the allegations in her statement under section 164 Cr.P.C., the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

7. Learned trial Court is directed to expedite the trial.

(Partha Sarthy, J)

Saurabh/-

U		T	
---	--	---	--

