

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66564 of 2023

Arising Out of PS. Case No.-364 Year-2022 Thana- GOPALGANJ TOWN District-
Gopalganj

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RAJA KUMAR @RAJA KUMAR SAH S/O LATE GANESH SAH R/O
VILL-LOHIJARA, PS-SIDHWALIYA, DISTRICT-GOPALGANJ, AT
PRESENT R/O YOGINDRA PRASAD'S HOUSE, TURKAHA, GOSAI
TOLA, WARD NO. 22, PS-GOPALGANJ, DISTRICT-GOPALGANJ.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Lokesh Kumar Singh

For the Opposite Party/s : Mr. Pranav Kumar

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 16-10-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
POCSO Case No. 29 of 2022 arising out of Gopalganj Town
P.S. Case No. 364 of 2022 registered on 09.05.2022 lodged
under Sections 354B, 506 of the Indian Penal Code and Section
4, 7 and 8 of the POCSO Act

3. As per the prosecution case, F.I.R. has been lodged
against three named accused persons in this case. The allegation
against the petitioner is of committing rape of the daughter of
the informant.



4. Counsel further submits that petitioner is innocent and has committed no offence. He further submits that after completion of investigation, police has submitted the charge-sheet and found this case false against all accused person including the petitioner. The petitioner is in custody since 05.06.2023 having clean antecedent. Counsel further submits that investigation has already been completed so no purpose will be served keeping the petitioner in custody.

5. Learned counsel for the State opposes the prayer for bail.

6. Counsel for informant vehemently opposes the prayer for bail and submits that cognizance has been taken in this case under section 376 of the I.P.C. as well as POCSO Act. Counsel further submits that the charge has already framed under sections 354B, 506, 493 and 376 of the Indian Penal Code and Section 4 and 8 of the POCSO Act and evidences are also recorded. There were 9 witnesses out of which 3 witness have examined and their statements have been recorded and there is every likelihood that trial shall be completed within six months.

7. In the present facts and circumstances of this case, I am not inclined to grant bail to the petitioner.

8. Petitioner will be at liberty to renew the prayer for



bail after one year if trial is not completed.

(Dr. Anshuman, J)

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