

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66442 of 2022**

Arising Out of PS. Case No.-403 Year-2022 Thana- NARPATGANJ District- Araria

Hareram Kumar Singh Son Of Gayanand Singh R/O Village- Bardaha, Ward
No.03, P.S.- Narpatganj, District- Araria.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Prasad Singh

For the Opposite Party/s : Mr.Md. Mushtaque Alam

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

3 27-03-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in a case instituted
for the offence under Sections 376 and 34 of the Indian Penal
Code and Sections 4/6 of the POCSO Act.

The allegation against the petitioner along with others
is of forcibly rape the informant, when she went to attend nature
call.

It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He
further submitted that according to medical report victim girl is
aged about 18-20 years, who is matured. Petitioner has no
criminal antecedent as stated in para-3 of the bail application.
Petitioner is in custody since 10.09.2022.



The application for bail is opposed by learned APP for the State and submitted that there is direct allegation against the petitioner along with others accused is named in the FIR. The victim girl stated in her statement recorded u/s 164 of the Cr.P.C., that the age of the victim girl determines 16 years by Magistrate. She also stated that this petitioner along with (i) Himanshu Kumar Singh and (ii) Janardhan Kumar committed rape forcefully, due to which after sometime she became senseless and thereafter regain sense then she, any how, reached at the house of Grandfather.

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 and conclude the trial as soon as possible.

(Sunil Kumar Panwar, J)

Arish/-
Sushma/-

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