

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72263 of 2022

Arising Out of PS. Case No.-16 Year-2022 Thana- MAHILA P.S. District- Bhojpur

Bittu Rajak Son of Premchand Rajak @ Premchandra Rajak Resident of
Village- Basantpur, P.S.- Ara(M), District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajani Ranjan Pd. Singh, Advocate

For the Opposite Party/s : Mr. Ram Bilash Roy Raman, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 05-05-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, if any, within
a period of four weeks from today.

Petitioner seeks bail who is in custody since
03.03.2022 in connection with POCSO Case No. 17 of 2022
arising out of Mahila P.S. Case No. 16 of 2022, F.I.R. dated
02.03.2022 for the offences punishable under Sections 376 and
506 of the Indian Penal Code and Section 4 of POCSO Act.

According to prosecution case, the petitioner has
committed rape with the victim and also threatened her that if
she disclosed this fact, she would be killed.



Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that the statement of victim girl was recorded under Section 164 of the Cr.P.C. in which she has categorically stated that the petitioner has committed rape upon her and at the time of occurrence the victim was minor.

Vide order dated 07.04.2023 a report was called with regard to the present stage of trial. Report of the learned Trial Court dated 2.04.2023 reveals that the case is fixed for final argument.

Considering the aforesaid facts and circumstance, I am not inclined to enlarge the petitioner on bail in connection with POCSO Case No. 17 of 2022 arising out of Mahila P.S. Case No. 16 of 2022 pending in the court of learned 6th Additional Sessions Judge cum Special Judge, POCSO, Bhojpur at Ara.

Prayer is refused.



However, the learned Trial Court is directed to expedite and conclude the trial at the earliest.

(Rajesh Kumar Verma, J)

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