

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.67180 of 2022**

Arising Out of PS. Case No.-117 Year-2022 Thana- MANJHAGARH District- Gopalganj

JAGDISH SAHNI Son of Thakur Sahni Resident of village - Balahi Tola,  
P.S.- Manjhagarh, District - Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Shekhar Kumar Singh  
For the Opposite Party/s : Mr.Ramchandra Sahni

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

4      20-07-2023                      Heard learned counsel for the petitioner and learned  
APP for the State.

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

3. The allegation against the petitioner is of raping with  
the minor daughter of the informant.

4. It is submitted by learned counsel for the petitioner  
that petitioner has been falsely implicated in this case. He has  
committed no offence. He submitted that during investigation,  
there is a contradiction between the witnesses's statement, which  
was recorded by I.O. and the statement of the victim recorded u/s  
164 of the Cr.P.C. Petitioner is languishing in judicial custody  
since 17.04.2022.



5. Learned APP for the State has opposed the application for bail and submitted that the petitioner is named in the FIR and the informant, who is the mother of the victim specifically named the petitioner and narrated the whole story in her *fardebayan*. The Victim is a minor girl, who is aged about 4 years and her statement recorded u/s 164 of the Cr.P.C., in which she stated that the petitioner committed rape upon her, which corroborates the prosecution case. During investigation several witnesses as well as Medical report have also supported the prosecution case.

6. 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.

7. The trial Court is directed to conclude the trial expeditiously.

**(Sunil Kumar Panwar, J)**

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