

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67080 of 2022

Arising Out of PS. Case No.-29 Year-2022 Thana- MAHILA PS District- Gopalganj

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Brajnath Singh @ Birajnath Singh Son Of Late Shivnath Singh R/O Village-
Raghopur Dumri, P.S.- Nayagaon, District- Saran

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Roshan Kumar Mishra

For the Opposite Party/s : Mr.Anil Kumar Singh No. 1

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 18-01-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in connection with
Gopalganj Mahila P.S. Case No. 29 of 2022 instituted for the
offence under Section 341, 342, 376(2)(i), 506 of the Indian
Penal Code and 4, 10, 12 of the POCSO Act.

Allegation against the petitioner is of assaulting to the
minor victim sexually and tortured her physically.

Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He has
falsely been implicated in this case. A statement has been made
in para-3 of the petition that the petitioner has got no criminal
antecedent. There is no evidence of sexual assault at the time of
examination according to medical report. It is further submitted



that the petitioner is languishing in judicial custody since 2.10.2022.

Learned APP appearing for the state has opposed the prayer of regular bail and submitted that there is specific allegation of sexual assault to the victim against the petitioner. It has been made clear of the complicity of the petitioner in this offence from the statement of victim recorded under section 164 of Cr.P.C. which is annexed with this petition and also her statement supported the prosecution case. It is further submitted the victim is aged about 11 years at the time of occurrence.

Having heard the learned counsel for the parties and considering the the fact that the direct allegation is against petitioner, 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 the trial and conclude the same as soon as possible.

(Sunil Kumar Panwar, J)

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