

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72146 of 2022

Arising Out of PS. Case No.-2 Year-2020 Thana- MAHILA P.S. District- Sitamarhi

Saurav Rana Son Of Devendra @ Devendra Prasad R/O Village- Kurthal,
House No.411, P.S.- Budhana, District- Muzaffarnagar (U.P.) A/P R/O
Mohalla- Ram Nagar, House No.A/168, P.S.- Sahibabad, District- Ghaziabad
(U.P.)

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shyam Sunder Son Of Chandeshwar Paswan R/O Village- Parsa, P.S.- Bela,
District- Sitamarhi A/P Village- Amghatta, In Front Of Rajiv Gas Godown,
P.S.- Dumra, District- Sitamarhi

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dinesh Jha
For the Opposite Party/s : Mr.Renu Kumari

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

6 21-08-2023 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 366(A), 372, 376/34 of the Indian
Penal Code, Sections 4/8 of POCSO Act and Section 3(2)(V) of
SC/ST Act.

The allegation as per F.I.R. is that on 08.01.2020 the
petitioner along with other co-accused kidnapped away the
informant's minor niece (Bhanji) aged about 15 years for the
purpose of sale.

Learned counsel appearing on behalf of the petitioner



has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this case. The petitioner has got no criminal antecedent and he is languishing in judicial custody since 26.06.2020.

Learned APP appearing for the State has vehemently opposed the prayer of bail and submitted that the petitioner is named in the F.I.R. and statement of the victim girl was got recorded under Section 164 Cr.P.C. which is annexed with the case diary, wherein she has made direct allegation against the petitioner that he committed rape with her forcefully.

Having heard learned counsel for the parties and taking into consideration that there is direct and specific allegation against the petitioner, I am not inclined to grant bail to the petitioner and, as such, his application for bail is rejected.

The learned trial Court is directed to expedite the trial and conclude the same within period of six months failing which, the petitioner will be at liberty to renew his prayer for bail.

(Sunil Kumar Panwar, J)

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