

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75132 of 2022

Arising Out of PS. Case No.-814 Year-2022 Thana- SONEPUR District- Saran

Lakhendra Kumar Son Of Ram Dayal Rai R/V- Rahimpur, P.S.- Sonapur,
District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Prakash

For the Opposite Party/s : Mr.Suman Kumari Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 06-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under section 341, 323, 363, 504/34 of the IPC and 4/6 of the POCSO Act.

Allegation against the petitioner is that he along with other two co-accused persons forcibly caused unnatural offence with the 11 years old male child (victim).

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case merely on the basis of confessional statement of co-accused, namely, Nitesh Kumar. A statement has been made in para-3 of the petition that the petitioner has got no criminal antecedent. It is further submitted



that the petitioner is languishing in judicial custody since 22.10.2022.

Learned APP appearing for the state has vehemently opposed the prayer of regular bail and submitted that the victim child in his statement recorded under Section 164 of the Cr.P.C. clearly stated that this petitioner along with other co-accused committed unnatural offence with him. The present petitioner has confessed also his involvement in this alleged offence and this fact is mentioned in para 25 of the case diary. Further, medical report also supports the prosecution version wherein, it is revealed that the victim child had one lacerated deep muscle wound due to this unnatural offence.

Having heard the learned counsel for the parties and considering the fact that there is direct allegation against the 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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