

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.570 of 2023

Arising Out of PS. Case No.-369 Year-2022 Thana- PAROO District- Muzaffarpur

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Sunil Kumar Son Of Rajendra Rai R/V- Baijalpur, P.S.- Paroo, District-
Muzaffarpur (Bihar)

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arun Kumar

For the Opposite Party/s : Mr.Bhanu Pratap Singh

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 22-05-2023 Heard learned counsel for the petitioner,

informant and learned A.P.P appearing on behalf of the

State.

The petitioner is languishing in custody in a

case registered for the offences punishable under

Sections 341, 342, 354, 376(D)(A), 504, 34 of the

Indian Penal Code and Sections 4/6/8 of the POCSO

Act.

It is a case of commission of kidnapping and

rape to the minor daughter of the informant.

It is submitted by learned counsel for the

petitioner that petitioner is innocent and he has falsely



been implicated in this case. For the alleged occurrence of 22.07.2022, F.I.R was registered on 25.07.2022 without explaining the delay. There is no eye witness to the occurrence. The medical report also does not corroborate the case of the prosecution. The petitioner is languishing in custody since 27.07.2022. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

Learned A.P.P appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner and submitted that the specific accusation of committing wrong is against the petitioner and the victim in her 164 Cr.P.C statement has also specifically alleged against the petitioner and co-accused Sachin Kumar that they forcefully committed rape upon her.

Considering the fact that thrust of accusation is against the petitioner, this Court is not inclined to grant bail to the petitioner.

The prayer for grant of bail to the petitioner



stands rejected.

The Trial Court is directed to expedite the trial
and conclude the same at the earliest.

(Sunil Kumar Panwar, J)

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