

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10014 of 2024

Arising Out of PS. Case No.-28 Year-2023 Thana- MAHILA P.S. District- Araria

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Amit Kumar Aman @ Amit Kumar Rishideo S/O- Raj Kishor Rishideo R/O-
Village- Majhuwa Purab, Ward No.- 04, P.S.- Bounsi, Basaithe, Dist.- Araria.

... .. Petitioner/s

Versus

The State of Bihar, Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Y.C. Verma, Sr. Advocate

Mr.Pramod Mishra, Advocate

For the Opposite Party/s : Mr.Md. Mushtaque Alam, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

5 14-05-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Araria Mahila P.S Case No. 28/2023 dated 18.07.2023 registered for the offences punishable u/ss 376, 504 and 506 of the Indian Penal Code and Section 4 of the POCSO Act.

3. As per the prosecution case, the petitioner is alleged to have committed rape on the informant by administering poison in her water and made obscene video of the informant and threatened the informant to make the video viral.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in



this case. There is a delay of 12 days in lodging the FIR. There is no statutory compliance of section 53A of the Cr.P.C. Learned counsel has submitted that the petitioner is a reputed teacher, who runs a coaching institute at Manjhua Purab, Ward No. 04 and he is also elected ward member of the said ward. It is further submitted that due to ulterior political motive this instant F.I.R has been lodged. The offence took place on 07.07.2023 and the victim was medically examined on 19.07.2023. The age of the victim was assessed as 15-17 years. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 17.10.2023.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner by submitting that the victim in her statement recorded u/s 164 of the Cr.P.C. has supported the prosecution case. It is further submitted that as per the medical report, the doctor found hymen ruptured of the victim.

6. Considering the aforesaid facts and circumstances of the case as well as the finding substance in the contention of learned counsel for the State, this Court is not inclined to grant bail to the petitioner and the same is rejected in connection with Araria Mahila P.S Case No. 28/2023, pending in the court of



learned Additional District & Sessions Judge-VI-cum-Special
Judge (POCSO), Araria.

7. The trial court is directed to expedite the trial and
conclude the same preferably within a period of 9 months.

(Chandra Prakash Singh, J)

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