

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20184 of 2023

Arising Out of PS. Case No.-520 Year-2022 Thana- LAHERIMUHALLA District- Nalanda

Md. Sunny Son Of Md. Babul R/V- Purnea City (Bairbanna), P.S.- Sadar,
District- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nilendu Kumar Choudhary

For the Opposite Party/s : Mr.Tarkeshwar Nath Thakur

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

8 19-04-2024 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the informant.

The petitioner has prayed for bail in connection with
Laheri P.S. Case. No. 520 of 2022 instituted for the offence
under Sections 363 and 376(D) of the Indian Penal Code and
Sections 4/6 of the POCSO Act.

Prosecution case relates to commission of abduction
and rape with the as alleged minor daughter of the informant by
the accused persons including this petitioner.

It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this present case.
The petitioner is not named in F.I.R. rather his name came into
light in this case during the course of investigation. There is no
eye witness of the alleged occurrence. It is further submitted



that the age of the victim was found between 18-19 years by the medical board and the doctor has not found any external injury over the body or private parts of the victim. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 22.10.2022.

Learned APP appearing for the State and learned counsel for the informant have opposed the prayer of regular bail and submitted that the victim was recovered and her statement was recorded under Section 164 of the Cr.P.C. in which she deposed that co-accused persons committed rape with her one by one and thereafter sold her to this petitioner who runs an orchestra group and he also established forceful sexual relationship with her and assaulted her as well. The bail petition of the other co-accused person has already been rejected by this Court vide order dated 14.09.2023 in Cr. Misc. No. 39099 of 2023. It is further submitted that the trial of this case is fixed for prosecution evidence.

Having heard the learned counsel for the parties and considering the nature of allegation, this court is not inclined to enlarge the petitioner on bail and, as such, his prayer for bail stands rejected.



From perusal of the trial Court report dated 02.04.2024, in which it is mentioned that the trial will be concluded within a period of six months.

The trial court is directed to conclude the trial within the stipulated period of time as mentioned in its report failing which, the petitioner will be at liberty to renew his prayer for bail.

(Sunil Kumar Panwar, J)

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