

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20777 of 2024

Arising Out of PS. Case No.-34 Year-2022 Thana- MAHILA PS District- Darbhanga

Dashrath Sahni S/O Bindeshwar Sahni R/ Village- Akraha, P.S- Ashok Paper Mill, Distt.- Darbhanga.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashank Shekhar

For the Opposite Party/s : Mr.Anil Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 15-05-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner has prayed for bail in connection with Mahila P.S. Case No. 34 of 2022 instituted for the offence under Sections 366(A), 376(D), 506, 120(B) of the Indian Penal Code and Sections 4 and 6 of the POCSO Act.

3. As per allegation in the FIR, while the daughter of the informant was alone at her house, this petitioner along with other co-accused persons abducted her by putting cloth in her mouth and took her away by tempo to river bank and thereafter committed rape with her.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has



falsely been implicated in this case. According to medical report, victim girl is 19 years old. 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 14.12.2022.

5. Learned APP appearing for the state has opposed the prayer of regular bail and submitted that statement of the victim girl was recorded under Section 164 of the Cr.P.C. wherein she has made direct allegation of abduction and commission of rape against the petitioner along with other co-accused persons, namely, Om and Dharmendra. Prosecution story is corroborated with the statement of the victim recorded under Section 161 of Cr.P.C. as well as 164 of Cr.P.C.

6. 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.

The trial court is directed to conclude the trial within a period of six months positively failing which the petitioner will be at liberty to renew his prayer for bail.

(Sunil Kumar Panwar, J)

Shubham/-

U		T	
---	--	---	--

