

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 36560 of 2024

Arising Out of PS. Case No.-14 Year-2024 Thana- RAHUI District- Nalanda

Ram Das Mistri Son of Late Dinesh Mistri Resident of Village - Amba, P.S.-
Rahui (Bhagnbigha O.P.), District - Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar, Adv

For the Opposite Party/s : Mr.Shahabuddin Azeem @ S. Azeem, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 26-07-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
POCSO P.S. Case No. 06/2024 arising out of Rahui
(Bhaganbigha O.P) P.S. Case No. 14/2024 lodged on 07.01.2024
under Section 376(2)(F)/376(AB) of the Indian Penal Code
Section 6 of POCSO Act.

3. As per the prosecution case, F.I.R. has been lodged
against the present petitioner by her own wife alleging that she
has seen that her husband was committing rape with her
daughter.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Counsel
further submits that the criminal antecedent of the petitioner is



clean and the petitioner has been in judicial custody since 08.01.2024 and charge has already been framed. He further submits that compromise has been taken place.

5. Learned APP for the State opposes the prayer for bail and submits that statement under Section 164 Cr.P.C. has been called for.

6. From perusal of the Statement under Section 164 Cr.P.C, it transpires to this Court that allegation made in the F.I.R. has been supported by the Statement of the victim. As such, this Court is not inclined to grant bail to the petitioner. Accordingly, the bail application of the petitioner is hereby rejected.

7. However, the Trial Court is directed to expedite the trial and conclude the same as early as possible.

(Dr. Anshuman, J)

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