

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47963 of 2024

Arising Out of PS. Case No.-272 Year-2022 Thana- AMDABAD District- Katihar

Vijay Mandal @ Vijay Kumar @ Vijay Kumar Mandal S/o Vidyasagar
Mandal R/o vill - Deva Laxmipur, P.s. - Amdabad, Distt. - Katihar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Parwati Kumari D/o Lakari Pandit R/o vill - Deva Laxmipur, P.S. - Amdabad, Distt. - Katihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Suresh Prasad Sah, Adv.

For the Opposite Party/s : Mr. Sanjay Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 30-08-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks bail in connection with G.R.
No. 6184 of 2022 arising out of Amdabad P.S. Case No. 272 of
2022, registered for the offences punishable under Sections 341,
342, 376 of the Indian Penal Code and Section 4 of the POCSO
Act.

3. It is alleged that this petitioner forcibly committed
rape with the victim.

4. Learned counsel for the petitioner submits that due
to land dispute between the parties, this false and concocted
case has been lodged against the petitioner. The First



Information Report has been lodged after an inordinate delay of 12 days without any plausible explanation. Petitioner is in custody since 05.01.2024.

5. Learned A.P.P. appearing on behalf of the State vehemently opposed the prayer for bail and submits that petitioner is named in the F.I.R. There is specific allegation against the petitioner that he committed rape with the victim. The victim in her statement recorded under Section 164 Cr.P.C. has supported the prosecution case. The medical report also corroborates the same. Hence, petitioner does not deserve to be enlarged on bail.

6. Having considered the accusation and gravity of offence as the statement of victim recorded under Section 164 Cr.P.C., this Court is not inclined to grant bail to the petitioner. Accordingly, his prayer for bail is rejected.

(Prabhat Kumar Singh, J)

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