

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54495 of 2024

Arising Out of PS. Case No.-8 Year-2024 Thana- AKBARNAGAR District- Bhagalpur

Rohi Kumar @ Gohiya son of Lakhan Rishidev @ Munni Rishidev Village-
Hari nagar Ps- Akbarnagar Dist- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijendra Kumar, Advocate
For the Opposite Party/s : Mr. Dashrath Mehta, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 29-10-2024 Heard learned counsel for the petitioner and learned APP
for the State. Perused the case diary.

2. The petitioner seeks bail in connection with
Akbarnagar P.S. Case No. 08 of 2024 instituted for the offence
under Sections 302, 201/34 of the Indian Penal Code.

3. As per the prosecution case, daughter of the
informant was taken away by the informant and later in the
evening, he came to learn that she was raped by the petitioner
and her dead body was kept under leaves in a burnt condition.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 06-02-2024. Petitioner is a
man of clean antecedent.



5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. There is no eye witness to the occurrence. Informant is the father of the deceased whereas petitioner is uncle of the deceased. It is submitted that the allegedly victim aged about 5 years went away with the petitioner, but whole day no search was done till 4.00 PM. Learned counsel for the petitioner next submits that police after investigation has already submitted charge sheet in this case.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. Paragraph No. 23 of the case diary is the statement of the mother of the victim and she has supported the prosecution version. Paragraph No.29 of the case diary is the statement of witness-Parwali Manjhi-who has stated that petitioner was going with the victim. It is fervently submitted that postmortem report corroborates the allegation levelled against the petitioner.

7. Considering the aforesaid facts and circumstances of the case, nature and gravity of the offence as also materials available against the petitioner in the case diary, this Court is not inclined to grant bail to the petitioner. Prayer is accordingly *rejected*.



8. The trial court is directed to expedite the trial as expeditiously as possible without any undue delay and unnecessary adjournments.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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