

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56375 of 2024

Arising Out of PS. Case No.-458 Year-2023 Thana- UCHKAGAON District- Gopalganj

Satyendra Prasad S/o- Bangali Prasad Village- Ghoraghat Muksudpur Ps-
Uchakagawn Dist- Gopalganj

... .. Petitioner/s

Versus

1. The State of Bihar
2. Anita Devi wife of Baliram Been Village- Ghoraghat Muksudpur Ps-
Uchakagawn Dist- Gopalganj

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Md Danish Quamar, Advocate
For the State	:	Md. Aslam Ansari, APP
For the Informant	:	Md. Irshad Ahmad Khan, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

5 11-12-2024

Heard the parties.

2. The petitioner is in judicial custody in connection with Uchkagawn P.S. Case No. 458 of 2023 for the offences punishable under Sections 376(ab) of the Indian Penal Code and 4 & 6 of the POCSO Act, lodged on 20.11.2023 by the informant, Anita Devi.

3. As per the prosecution story, the informant alleged that during ‘Chhath’ festival, when the family was out, the petitioner who is 40 years old, took away the 7 years old minor daughter and after tying her hand and putting a cloth around her eyes, committed rape. When the girl returned, the mother could see the blood oozing from the private part. This led to the F.I.R.



4. Though, learned counsel for the petitioner tried to impress about the innocence of the petitioner as also the local rivalry, learned APP representing the State submits that a seven years old minor girl has been sexually assaulted by a 40 years person little realizing the trauma she will face in her entire life.

5. Taking into account the facts as also the submissions that has come on record, the unfortunate girl has suffered at the age of seven, being sexually assaulted by a 40 years old petitioner. The allegation is on him, in that background, no relief can be granted to the petitioner.

6. Accordingly, the bail application stands rejected.

(Rajiv Roy, J)

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