

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.65610 of 2023**

Arising Out of PS. Case No.-1 Year-2023 Thana- KHARHAGPUR District- Munger

Binod Sah S/O Late Fuchosah Village- Marwari Tola, Ps- Haweli Kharagapur,  
Dist-Munger

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Deep Anshuman

For the Opposite Party/s : Mr.Rajendra Singh

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

3      02-01-2024                      Heard learned counsel for the petitioner and learned  
APP for the State.

The petitioner has prayed for bail in connection with Kharagpur P.S. Case No. 01 of 2023 instituted for the offence under Section 366 (A) of the Indian Penal Code but the cognizance has been taken under Sections 366(A), 342, 376, 323 of the I.P.C. and Section 4 of the POCSO Act.

Allegation against the petitioner is that he abducted the daughter of the informant and committed rape with her.

It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this present case due to previous enmity and village politics. The informant is not the eye witness of the alleged occurrence. There is land dispute between the informant and the petitioner. 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 17.02.2023

Learned APP appearing for the state has opposed the prayer of regular bail and submitted that during investigation witnesses of this case have supported the prosecution case. The victim has been recovered and her statement has been recorded under Section 164 of the Cr.P.C., in which she has supported the allegation against the petitioner and she has also stated that the petitioner has put vermilion on her head forcefully and he committed wrong with her daily and he also used to beat her. As per medical board, the victim girl is minor.

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 expedite the trial and conclude the same as soon as possible.

**(Sunil Kumar Panwar, J)**

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