

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66636 of 2023

Arising Out of PS. Case No.-18 Year-2022 Thana- MAHILA P.S. District- Banka

Naresh Yadav Son Of Doman Yadav R/O Vill - Fulwariya, P.S. - Katoriya,
Distt. - Banka

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rekha Kumari D/o Tuntun Yadav R/o vill - Fulwariya, P.S. - Katoriya, Distt.
- Banka

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Jha

For the Opposite Party/s : Mr.Surendra Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 08-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in connection with Banka (Mahila) P.S. Case No. 18 of 2022 instituted for the offence under Sections 376, 313, 506 and 34 of the Indian Penal Code and Section 4 of the POCSO Act.

Allegation against the petitioner is that he committed rape with the informant's minor daughter on the pretext of marriage and later on she became pregnant. It is further alleged that petitioner administered medicine resulting to her miscarriage.

It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this present case. It is further submitted that this case seems consensual between the



petitioner and victim girl. 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 22.05.2023.

Learned APP appearing for the state has opposed the prayer of regular bail and submitted that the petitioner is named in FIR and there is specific allegation against him in commission of rape with the victim. The statement of the victim was recorded under Section 164 of the Cr.P.C. in para-46 of the case diary in which she stated that this petitioner committed rape with her on the pretext of marriage and she is minor aged about 16 years as per her deposition.

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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