

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68941 of 2024

Arising Out of PS. Case No.-10 Year-2024 Thana- MAHILA P.S. District- Banka

Ajay Das Son of Nakul Das @ Nakul Harijan R/O Village- Salempur, P.S.-
Amarpur, District- Banka

... .. Petitioner/s

Versus

1. The State of Bihar
2. Asha Devi Wife of Ajay Das R/O Village- Salempur, P.S.- Amarpur, District-
Banka

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Jha, Advocate
For the State : Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 21-10-2024 Heard the parties.

2. The petitioner is in judicial custody in connection with Banka Mahila P.S. Case No. 10 of 2024 registered for the offence under Section 376 of the Indian Penal Code and section 4/6 of the POCSO Act, lodged on 24.05.2024 by the informant Asha Devi.

3. As per the prosecution story, the informant alleged that the petitioner who is her husband sexually assaulted her minor daughter for the last two years and on the fateful night also, as she heard the screaming sound of her daughter, found her husband sexually assaulting his own daughter. Accordingly, the F.I.R.



4. Though, learned counsel for the petitioner tried to impress upon this Court about the innocence, learned APP Mr. Jitendra Kumar Singh, submits that it is a case where the father himself raped his minor daughter and the mother is the informant.

5. Considering the heinous crime/allegation that has come against the father, no relief can be granted. Accordingly, the bail application stands rejected.

6. The Trial Court shall see to it that the trial is taken up and taken to its logical conclusion expeditiously.

(Rajiv Roy, J)

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