

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57404 of 2024

Arising Out of PS. Case No.-17 Year-2024 Thana- MAHILA P.S. District- Kaimur (Bhabua)

Aashish Singh @ Aashis Singh Son of Tega Singh Village- PO- Bharari, PS-
Chand, Distt.- Kaimur (Bhabua)

... .. Petitioner/s

Versus

1. The State of Bihar BIHAR
2. Manju Kumari D/O- Upendra Sah R/O- Rasulpur, Bhabhua (Kaimur)

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar Pathak, Advocate
For the Opposite Party/s : Mr.Dinesh Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

6 21-01-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 376 and 506 of the Indian Penal Code and Section 6 of the POCSO Act.

3. The case of the prosecution is that the victim is a resident of village-Rasalpur, Kaimur. She lives with her mother, father, elder sister and younger brother at village- Bharari, P.S.- Chand. There is a Hanuman Temple 200 meters away from her shop. It is further alleged that one Aashish Singh is the priest of the said temple. It has been stated that the priest of the said temple has committed rape with the victim by threatening her. She was threatened of dire consequences if she will reveal the



offence to the family members. During the course of investigation, the victim in her statement recorded under Section 164 of the Cr.P.C. she has stated that the said priest (the petitioner herein) has committed rape with her.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in connection with the present case. During the course of argument, learned counsel for the petitioner submits that from the entire FIR, it is clear that there is no date of occurrence. The statement of the victim under Section 164 of the Cr.P.C. has categorically stated that she does not remember the date of occurrence. It is further submitted that her mother and his father has given affidavit to that effect that this case was filed at the instance of one co-villager. Moreover, the petitioner is languishing in judicial custody since 01.05.2024.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Considering the aforesaid facts and circumstances of the case and in any view of the matter, the statement recorded under Section 164 of the Cr.P.C. of the victim supported the case of the prosecution, I am not inclined to extend him the privilege of bail which is accordingly, rejected.



7. However, the petitioner will be at liberty to renew his prayer for bail after six months.

(Ashok Kumar Pandey, J)

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