

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71165 of 2024

Arising Out of PS. Case No.-73 Year-2024 Thana- HATHAURI District- Muzaffarpur

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Raushan kumar S/O Ganesh Shah @ Ganeshi Sah @ Ganesh Sah R/O
Village- Berai, P.S- Hathouri, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Manju Devi W/O Laxmi Shah R/O Berai South, Ward No. 08, P.S- Hathouri,
Distt.- Muzaffarpur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Alok Kumar Alok, Advocate
For the Opposite Party/s	:	Mr. Mohammad Sufyan, APP
For the Informant	:	Mr. Raju Kumar, Advocate

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

7 18-03-2025 Heard learned counsel for the petitioner, learned

counsel for the informant and learned APP for the State. Perused

the case diary.

2. The petitioner seeks bail in connection with
Hathauri P.S. Case No. 73 of 2024 instituted for the offences
under Sections 341, 323, 376, 504, 506/34 of the Indian Penal
Code and 4, 6 of the POCSO Act.

3. Accusation against the petitioner is of sexually
exploiting the informant's minor daughter on the pretext of
marriage.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case.
Learned counsel further submitted that petitioner has nothing to



do with the entire occurrence and he has been made victim of circumstances due to ulterior motives. Learned counsel further submitted that informant and the petitioner are co-villagers and there is already some land dispute between them. It has been submitted on behalf of the petitioner that the petitioner is in custody since 07.06.2024 and has two criminal antecedents.

5. Learned A.P.P. for the State and learned counsel for informant have vehemently opposed the prayer for grant of bail to the petitioner. Learned APP further submitted that the allegation as levelled in the FIR is corroborated by the Section 164 CrPC statement and medical report of the victim, therefore, he prays that petitioner may not be released on bail.

6. Considering the aforesaid facts and circumstances of the case, Section 164 CrPC statement of the victim as also her medical report, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, the prayer for grant of bail to the petitioner is, hereby, rejected.

8. Learned Trial Court is directed to expedite the trial.

(Rudra Prakash Mishra, J)

Alok Verma/-

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