

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79296 of 2024

Arising Out of PS. Case No.-24 Year-2024 Thana- NATHNAGAR District- Bhagalpur

SINTU PODDAR @ SINTU KUMAR S/o Bangtu Poddar @ Bantu Poddar
R/o vill - Madhopur, P.S. - Nathnagar, Distt. - Bhagalpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Anita Devi W/o Anil Mandal R/o vill - Madhopur, P.S. - Nathnagar, Distt. - Bhagalpur

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sharda Nand Mishra, Advocate
For the Opposite Party/s	:	Mr. Umeshanand Pandit, APP
For the informant	:	

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

5 08-05-2025 Heard learned counsel for the petitioner; learned
A.P.P. for the State and learned counsel for the informant.

2. The petitioner apprehends arrest in connection with
POCSO Case No. 09 of 2024 (arising out of Nathnagar P.S.
Case No. 24 of 2024) dated 09.01.2024, instituted for the
offence punishable under Sections 341, 323, 376, 506 of the
Indian Penal Code and Section 4/6 of the POCSO Act.

3. The FIR has been lodged against sole accused
(petitioner) against whom there is allegation of rape with the
niece of the informant.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in this



case. It is further submitted that the victim was medically examined but there was no external or internal injury found on the body of victim. Therefore, the medical report does not support the case of prosecution. Lastly, it has been submitted that the petitioner is in custody since 17.05.2024 having no criminal antecedents and charge-sheet has been submitted in the case.

5. Learned A.P.P. and learned counsel for the vehemently opposed the prayer for bail of the petitioner and submitted that there is a specific allegation of rape against the petitioner. The contents of FIR have been supported by the victim in her statement under Sections 161 and 164 Cr.P.C.(180 and 183 of the B.N.S.S., 2023) and in the medical report, her age was ascertained by the doctor to be between 12-14 years.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, I am not inclined to grant bail to the petitioner.

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

8. However, the learned Trial Court is directed to expedite the trial and take all endeavour to conclude the trial at the earliest, preferably, within a period of six (6) months from



the date of receipt or production of a copy of this order.

(Khatim Reza, J)

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