

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38331 of 2017

Arising Out of PS.Case No. -146 Year- 2017 Thana -DANAPUR District- PATNA

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1. Ravindra Rai @ Ravindra Kumar Rai @ Pappu Rai @ Pappu, Son of
Lotha Rai @ Ram Jatan Rai, Resident of Makadan Gali No.89, P.S.- Digha,
District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Saroj Kumar

For the Opposite Party/s : Mr. Smt. Madhuri Lata

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

4 16-10-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
16.03.2017 in connection with Special (POCSO) Case No. 37 of
2017 (Danapur) P.S. Case No. 146 of 2017 for offences
punishable under Sections 376(E), 506 of the Indian Penal Code
and Section 8 of POCSO Act.

The prosecution case, as lodged by the informant, is
that her husband had a kidney failure and since the petitioner was
acquainted to her, he gave some rooms in his Shivam Nursing
Home on rent. On the alleged date of occurrence, her daughter,
Payal Kumar, aged 16 years, had gone to wash her clothes, the



petitioner committed rape on her.

It has been submitted by the learned counsel for the petitioner that he is innocent, and has been falsely implicated in this case. He submits that charges have already been framed and he is ready to co-operate in the trial.

However, learned APP for the State opposes the prayer for bail as the medical report assessed her age as 14 years and the victim girl in her statement under Section 164 Cr.P.C. has stated that the petitioner has committed un-natural act with her.

Considering the facts and circumstances and the materials on record, I am not inclined to grant privilege of bail to the petitioner and accordingly, his prayer stands rejected in connection with Special (POCSO) Case No. 37 of 2017 (Danapur) P.S. Case No. 146 of 2017 pending in the Court of learned 1st Additional Sessions Judge, Patna.

(Nilu Agrawal, J)

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