

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50013 of 2016

Arising Out of PS.Case No. -314 Year- 2016 Thana -DANAPUR District- PATNA

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Om Prakash Kumar @ Sutun Kumar Son of Sri Bijendra Ravidas @
Brijnandan Ram, resident of Village Ashopur (Babakarpur) P.S. Danapur,
District Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Kant Kumar

For the Opposite Party/s : Mr. Jai Narain Thakur

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

5 09-02-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is accused in connection with Special
(POCSO) Case No. 107 of 2016 arising out of Danapur P.S. Case
No. 314 of 2016 registered under sections 366A/376/34 of the
I.P.C. pending in the Court of Additional District and Sessions
Judge-I, Patna-cum-Special Judge POSCO, Patna.

The allegation is that the victim, maternal grand-
daughter of the informant, was allured by the petitioner and was
repeatedly raped by him.

Submission is that petitioner is innocent and has
falsely been implicated in this case. It is also submitted that
petitioner is in custody since 03.08.2016.



Learned A.P.P. appearing on behalf of the State opposed the prayer of the petitioner with submission that the victim in her statement recorded under Section 164 Cr. P.C., she specifically stated that the petitioner gave her intoxicated thing thereafter, she became unconscious and made illicit relation with her.

Having considered the facts and circumstances of the case and nature of allegation, I am not inclined to allow the prayer of the petitioner for bail. Accordingly, this application is rejected.

However, petitioner may renew his prayer for bail after framing of charge.

(Arvind Srivastava, J)

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