

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15151 of 2017

Arising Out of PS.Case No. -123 Year- 16 Thana -MAHILA P.S. District- NALANDA
(BIHARSHARIFF)

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1. Ravi Ranjan Kumar @ Ravi Kumar, Son of Manoj Chaudhary, Resident of Village- Deepnagar, P.S.- Deepnagar, Distt. Nalanda.

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Sudish Kumar, Advocate

For the Opposite Party : Smt Indu Kumari Srivastava (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 18-04-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with G.R. No. 3244 of 2016 (arising out of Nalanda Mahila P.S Case No. 123 of 2016) registered for the offence punishable under Section 376 of the Indian Penal Code and Section 4/8 of POCSO Act.

Allegedly, the petitioner committed rape with minor informant from 09.09.2016 to 18.09.2016 and when he was taking away, the mother and other in-laws caught the petitioner and brought at police station.

Submission is of false implication and that no such occurrence has taken place, due to ulterior motive the case has been lodged, no injury on private part of the body and no



spermatozoa was found and, as such, the petitioner deserves sympathetic consideration.

Learned A.P.P opposes the prayer of bail by submitting that the statement of victim recorded under Section 164 of Cr.P.C. has supported the allegation and further she is minor. The doctor has also found her age between 16-17 years and injuries were found on right ankle and right knee which are grievous caused by hard and blunt substances.

In the facts and circumstances stated above, considering the allegation attributed against the petitioner, I am not inclined to enlarge the petitioner on bail and accordingly, his such prayer stands rejected in connection with G.R. No. 3255 of 2016 (arising out of Nalanda Mahila P.S Case No. 123 of 2016) pending in the Court of learned 1st Additional District Judge, Nalanda at Biharsharif.

(Jitendra Mohan Sharma, J.)

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