

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Revision No.372 of 2018

Arising Out of PS. Case No.-433 Year-2017 Thana- LAKHISARAI District- Lakhisarai

Nitish Kumar @ Golu Kumar, Through his mother and legal guardian namely
Nirmala Devi, Wife of Lattan Saw, Both Resident of Village- Ward No.- 31,
Bazar Samiti Pir Baba, P.S.- Kabaiya, District- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Krishna Chandra

For the Respondent/s : Mr. Sri Parmanand Kumar

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 23-05-2018 The petitioner has challenged the order dated 24.1.2018 passed by Juvenile Justice Board, Lakhisarai in connection with Lakhisarai (Kabaiya) P. S. case no. 433 of 2017 registered for the offences under Sections 376, 120B, 504, 506/34 of the IPC and Section 4 of the POCSO Act, 2012 whereby learned Magistrate has recommended the case of the petitioner to be tried under Section 18(3) of the Juvenile Justice Act as well as the order dated 13.3. 2018 passed by learned Additional District and Sessions Judge 1st, Lakhisarai whereby he has rejected the application of the petitioner for his release on bail.

It is alleged in the written report that while the informant was returning to her home after attending the tuition



this petitioner along with 2-3 friends surrounded her and forcibly took her in a lonely room and this petitioner after locking the door committed rape with her.

A supplementary affidavit has been filed on behalf of the petitioner today enclosing the Medical report of the victim girl in which the doctor has opined forceful intercourse could not be excluded. Therefore, seeing seriousness of the allegation levelled against the petitioner this Court is not inclined to grant bail to the petitioner .Prayer for bail of the petitioner is rejected.

This Cr. Revision application is, accordingly, dismissed.

(Sanjay Priya, J)

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