

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20873 of 2019

Arising Out of PS. Case No.-12 Year-2019 Thana- DHARHARA District- Munger

Rahul Kumar Choudhary Son of Kailash Choudhary @ Bhaso Choudhary
Resident of Village - Itawa, P.S.- Dharhara, Distt.- Munger.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Madhu Prasun, Adv

For the Opposite Party/s : Mr.Shyam Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

5 11-06-2019 Heard learned counsel for the petitioner and
learned APP for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 341,323,376,506,34 of the
Indian Penal Code and Sections 8,10,12 of the POCSO Act.

Allegation against the petitioner is that he was
in physical relation with the complainant by falsely pretending
that he would marry with the complainant.

Submission is that complainant who is agnate,
is already a married lady and she had in fact trapped the
petitioner. Petitioner is in custody since 14.02.2019.
Investigation of the case is already complete. The victim has
supported the aforesaid allegation in her statement under
Section 164 Cr.P.C.

Considering the fact that consent of the victim



was obtained by fraud, the consent was no consent, hence, I am not inclined to enlarge the petitioner on bail in connection with Dharhara P.S.Case No.12 of 2019 pending in the court of learned Special Judge (POCSO Act)-cum-A.D.J.-I, Munger. Prayer is refused.

Learned Trial Court is directed to expedite the trial.

(Birendra Kumar, J)

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