

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2042 of 2019

Arising Out of PS. Case No.-321 Year-2018 Thana- AMARPUR District- Banka *

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Nitya Nand Thakur @ Nitu, Son of Anil Thakur Resident of Village-
Koindha, P.S.- Amarpur, District - Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Indrajeet Jha

For the Opposite Party/s : Mr.Sri Nirmal Kumar Sinha

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

4 01-04-2019 Heard learned counsel for the parties.

Petitioner seeks bail in **Amarpur P.S. Case No. 321 of 2018 corresponding to G.R. No. 2082 of 2018**, registered for the offence punishable under Sections 341, 323, 376 of the Indian Penal Code and under Section 4 of POCSO Act.

Informant is the victim herself who in her written complaint has stated that on 20.06.2018 at about 8:00 P.M. when she had gone to attend call of nature petitioner caught hold of her and forcibly took her into a hut and thereafter assaulted her and committed rape upon her.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case due to village politics. Petitioner has got no criminal antecedent and is



in custody since 21.06.2018.

Considering direct allegation against petitioner of committing rape upon the informant, I am not inclined to enlarge the petitioner on bail at this stage, hence, the prayer for bail of the petitioner is hereby rejected.

However, it is observed that petitioner may renew his prayer for bail, after completing one year of jail custody.

(S. Kumar, J)

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