

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74817 of 2019

Arising Out of PS. Case No.-449 Year-2019 Thana- DIGHA District- Patna

Deepak Kumar, aged about 20 years, Male, Son of Sankar Rai, Resident of Village - Azad Nagar Amrudi Bagicha, Road No.- 23 H, P.S.- Rajiv Nagar, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abdul Haque Ansari, Advocate

For the Opposite Party/s : Mr.Ajit Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 27-11-2019 Learned counsel for the petitioner has filed supplementary affidavit. Let it be kept on record.

Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner seeks bail in connection with Digha P.S. Case No. 449 of 2019 registered for the offences punishable under Sections 376, 506, 363/34 of the Indian Penal Code and Section 4/6 of POCSO Act.

Present case has been instituted on the basis of written report of the informant namely Raj Kumar Pandey in which he has alleged that his daughter namely Amisha Pandey aged about 13 years was studying in St. Pauls High School and used to go to school by tempo and in that course, she became friend of



Deepak Kumar and he gave his mobile no.7488751965 and forced the daughter of the informant to talk with him on mobile. Further allegation is that as his daughter is innocent she used to opposed it, but the accused intimidated her and due to fear she started talking with him. Further allegation is that on 30.07.2019 when her daughter went to school, the accused was present there with one Swift Car and forcibly got seated his daughter in the said car, the car was being driven by one Rahul, thereafter they brought his daughter to the house of their one friend where Deepak committed rape with his daughter. Lastly, it is alleged that later on they dropped his daughter on the gate of the school by the said car.

Learned counsel for the petitioner submits that the petitioner is quite innocent, committed no offence and has been falsely implicated in this case. He further submits that that no occurrence as alleged has ever taken place. He further submits that as per medical report, the age of the girl is 16-17 years. Learned counsel for the petitioner further submits that there is love affairs between the victim and the petitioner.

I have gone through the record and supplementary affidavit. The statement of the victim girl has been recorded under Section 164 Cr.P.C. The victim has supported the



prosecution version.

In the facts and circumstances of the case, I am not inclined to grant bail to the petitioner. Accordingly, the prayer for bail of the petitioner is hereby rejected.

(Anjani Kumar Sharan, J)

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