

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16482 of 2020

Arising Out of PS. Case No.-550 Year-2019 Thana- MAJHAULIA District- West Champaran

Krishna Ram, aged about 20 years, Male, S/o Nandkishor Ram @ Tunna Ram, R/o Village Bahuarwa, Ward No. 14, P.S. Majhulia, District West Champaran, Bettiah

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vikram Jeet

For the Opposite Party/s : Mr. Ram Bilash Roy Raman

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

4 02-09-2020 Heard Mr. Vikram Jeet, learned counsel for the petitioner, Mr. Ram Bilash Roy Raman, the learned Additional P.P. and the learned counsel for the informant.

The petitioner seeks bail in Majhulia P.S. Case No.550 of 2019, registered under Section 376 of the Indian Penal Code and under Section 4 of the POCSO Act, but cognizance under Section 376DA of the Indian Penal Code and under Sections 4, 6, 8 and 12 of the POCSO Act was taken.

Victim made allegation that one year ago she had gone to attend the call of nature but the petitioner forcibly committed rape with her and thereafter the petitioner continued to exploit her physically on the pretext of marriage.

Learned counsel for the petitioner submits that from



the contents of the FIR itself, it appears that the victim was a consenting party and on account of some enmity, the petitioner has falsely been implicated in the case, but it appears that the victim is a minor girl and on the date of her examination, the doctor assessed her age to be 17 years.

Taking into consideration the facts, I am not inclined to enlarge the petitioner on bail at this stage. Accordingly, the prayer for bail of the petitioner is rejected.

If the trial is not concluded within six months, the petitioner, if so advised, may renew his prayer for bail.

(Prabhat Kumar Jha, J)

S.KUMAR/-

U		T	
---	--	---	--

