

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21206 of 2020

Arising Out of PS. Case No.-711 Year-2019 Thana- SARAIYA District- Muzaffarpur

ROHIT KUMAR S/o Anil Sah Resident of Village- Mahamadpur, P.S.-
Saraiya, District- Muzaffarpur.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr.Chandra Shekhar Anand, Adv
For the Opposite Party/s : Dr. Indihar Kumari, APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 30-06-2020

Heard learned counsel for the petitioner and learned APP for the State through video conference. Learned counsel for the petitioner undertakes that all defects pointed out by the Stamp Reporter shall be removed, and compliance with the conditions of the notices of this Court with regard to acceptance of e-filing shall be made, without delay immediately after the lockdown ends, and in any event within one month thereof.

2. The petitioner apprehends his arrest for the offences alleged under Sections 363, 366(A), 365, 376/34 of the Indian Penal Code and subsequently added Section 6 and 8 of the POCSO Act registered in connection with Saraiya P.S. Case No. 711 of 2019.

3. It is submitted that the petitioner has been falsely implicated in connection with the alleged kidnapping and rape committed for several days upon the informant aged about 17 years. It is submitted that as a matter of fact it was a case of love affair between the informant and the petitioner and they had left the house on 02.09.2019 whereas the FIR has been lodged later on 22.10.2019 under pressure of the informant's parents. The



petitioner claims clean antecedents.

4. Learned APP appears and has been heard.

5. On a perusal of the FIR it transpires that there is direct accusation against the petitioner that he was standing with a Bolero vehicle into which the informant was forcefully boarded and taken away, and that he committed rape for several days while she was kept confined. An amount of Rs. 1,50,000/- was demanded by the accused persons from the father of the informant and the victim was finally released on payment of the demanded amount.

6. Having regard to the nature of accusations and gravity of offence alleged, this Court is not inclined to grant the privilege of anticipatory bail to the petitioner. The anticipatory bail petition stands dismissed.

7. Office shall ensure that all defects have been removed and compliance with the notices of this Court has been made, within the stipulated time as provided in para 1 hereinabove.

(Vikash Jain, J)

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