

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25120 of 2020

Arising Out of PS. Case No.-182 Year-2020 Thana- KESARIA District- East Champaran

RAVI PANKAJ PATHAK @ NANHE PATHAK, aged about 21 years, Male,
Son of Jugul Kishor Pathak, Resident of Village - Sundrapur, P.S.- Kesariya,
District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Mr. B.N. Pandey, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 22-09-2020 Heard learned counsel for the petitioner and Mr. B.N. Pandey, learned Additional P.P. through video conferencing.

The petitioner seeks bail in Kesariya P.S. Case No.182 of 2020, registered under Sections 376, 120(B) and 34 of the Indian Penal Code and under Sections 6/8 of the POCSO Act.

The informant alleged that while her daughter, aged about 13 years, was working as maid-servant in the house of the petitioner, the petitioner committed rape with her and consequently the daughter of the informant became pregnant. When she fell ill, the doctor diagnose that she was carrying pregnancy.

Learned counsel for the petitioner submits that all the allegations are false and concocted. The victim made statement



under Section 164 Cr.P.C. under duress. The case has been lodged at the instance of the Mukhiya because the petitioner opposed his election. The doctor assessed the age of the victim between 19-19 years but it appears from perusal of the records and the statement of the victim recorded under Section 164 Cr.P.C. that there is specific allegation that the petitioner committed rape with his maid-servant.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner on bail. Accordingly, the prayer for bail of the petitioner is rejected.

(Prabhat Kumar Jha, J)

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