

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28995 of 2020

Arising Out of PS. Case No.-115 Year-2019 Thana- PIYAR District- Muzaffarpur

ROHIT KUMAR Son of Devendra Mahto Resident of Village- Bargawan,
P.S.- Piar, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Nikesh
For the Opposite Party/s : Mr. A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 02-12-2020 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in connection with Piar P.S. Case No. 115 of 2019 registered for the offences punishable under Sections 376/511/34 of the Indian Penal Code, Section 67(B)(C) of the I.T. Act and Section 8 of the POCSO Act.

As per the prosecution case, this petitioner is alleged to have caught the victim and whereupon other co-accused persons have committed rape and made video of the incident. It is further alleged that due to pressure of society and out of shame, the victim did not disclose the occurrence, but when the video of the incident went viral, she lodged the FIR on 02.07.2019.



It is submitted on behalf of the petitioner that as per the FIR, the only allegation against this petitioner is that he caught the victim and commission of rape is against other co-accused.

Learned APP for the State has opposed the bail application and submitted that petitioner is one of the persons who has participated in the aforesaid crime and the aforesaid fact has already been supported by the statement made under Section 164 Cr. P.C. by the victim girl.

Considering the aforesaid facts and circumstances, I am not inclined to grant anticipatory bail to this petitioner. It is, accordingly, rejected.

(Prabhat Kumar Singh, J)

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