

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25653 of 2020

Arising Out of PS. Case No.-29 Year-2018 Thana- MAHILA P.S. District- Muzaffarpur

Ranjan Kumar, age about 22 Yrs, Male son of Yogendra Das, R/o village
Parmanandpur, P.S. Dewariya, District Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan

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

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 26-11-2020 Heard Mr. Tribhuwan Narayan, learned counsel for
the petitioner and Mr. B.N. Pandey, learned counsel for the State
through video conferencing.

Petitioner seeks regular bail in connection with
Muzaffarpur Mahila P.S. Case No. 29 of 2018 registered for the
offence under section 376 (D) / 506 / 34 of the I.P.C. and
Section 4/6 of the POCSO Act.

The allegation as per the First Information Report is
that on 23.05.2018 in the evening at about 7.00 P.M. the
petitioner came to the residence of maternal grandfather of the
informant and told that her mother was ill and requested the
maternal grandfather of the informant that the informant may be
allowed to accompany the petitioner. It has further been alleged
that since the petitioner is the co-villager of the informant she



agreed to accompany the petitioner on his motorcycle. The informant further alleged that after some time the petitioner stopped the motorcycle at a lonely place and tried to allure her to establish physical relationship with him and when the informant protested, the petitioner took out a knife and threatened her to kill and committed rape upon her and further one unknown person also committed rape upon the informant and threatened her not to disclose this fact to anybody.

Learned counsel for the petitioner submits that petitioner has not committed any offence in the manner alleged and he has falsely been implicated in this case due to village politics. Learned counsel further submits that there is delay of five days in lodging the First Information Report and the medical evidence does not support the allegation against the petitioner.

On the other hand, learned counsel for the State referring to the case diary submits that the statement of the victim girl under Section 164 of the Cr. P.C. has been recorded who has supported the prosecution story in totality. The victim was minor at the time of incident inasmuch as the date of birth of the victim as per the school leaving certificate is 02.01.2003.

Having regard to the submission made by the parties



and taking into consideration the fact that victim has supported the prosecution story in her statement recorded under Section 164 of the Cr.P.C., I am not inclined to grant regular bail to the petitioner.

Accordingly, the same is rejected.

(Anil Kumar Sinha, J)

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