

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.78011 of 2019**

Arising Out of PS. Case No.-60 Year-2019 Thana- MAHILA P.S. District- Rohtas

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KAMLESH KUMAR Son of Ram Dheyman Singh Resident of Village - Kali Bihga, P.S.- Amjhor, Distt - Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Sanjay Kumar Tiwary

For the Opposite Party/s : Mr.Bharat Bhushan(App156)

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA**  
**ORAL ORDER**

3      19-03-2020                      Heard the learned counsel for the petitioner, the learned  
APP and the learned counsel for the informant.

The petitioner seeks bail in Dehri (Mahila) P.S. case No.  
60/2019 registered under Section 376(G) of the Indian Penal  
Code and u/s 4 of the POCSO Act.

The victim alleged that petitioner and two others,  
namely, Chandan Kumar and Jitendra Kumar, kidnapped her in  
a Scorpio vehicle and they forced her to take some intoxicant.  
She became unconscious and the accused persons committed  
rape with her.

The learned counsel for the petitioner submits that  
mother of the petitioner filed Amjhor PS case No. 86/2008  
against the father of the victim and that is why the present case  
has been lodged. There is no allegation of rape against the



petitioner. Only allegation against the petitioner is that he caught the victim but it appears from perusal of the statement of victim recorded u/s 164 of the Cr. P. C and the case diary that she made very specific allegation that petitioner and two others kidnapped her in a vehicle and after making her unconscious committed rape with the her.

Considering the facts aforesaid and the nature of allegation made against the petitioner, I am not inclined to enlarge the petitioner on bail. Accordingly, the same is rejected.

**(Prabhat Kumar Jha, J)**

BKS/-

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