

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12072 of 2021**

Arising Out of PS. Case No.-72 Year-2020 Thana- TATARPUR District- Bhagalpur

AMAN THAKUR Son of Subodh Thakur R/O Mohalla - Golahgat, P.S.-
Tatarpur, District - Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravindra Kumar

For the Opposite Party/s : Mr.Atul Chandra, APP

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

3 06-08-2021 This matter is taken up for consideration through

Video Conferencing under the orders of Hon'ble the Chief

Justice.

Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner seeks bail in Tatarpur P.S. Case No. 72
of 2020, registered for the offence punishable under Section 376
of the Indian Penal Code and section 4 of the POCSO Act.

As per the prosecution case, this petitioner is alleged
to have entered into the house of informant, took away his
daughter and committed rape with her.

It is submitted on behalf of the petitioner that
petitioner has falsely been implicated. No such occurrence as
alleged in the FIR has taken place and the victim girl in her 164
statement has not stated about commission of rape upon her. In



medical report, the doctor has not found any sign of recent sexual intercourse and the age of victim girl is between 17 to 19 years. Petitioner is aged about 18 years and he is in custody since 01.06.2020 having no criminal antecedent. Chargesheet has already been submitted.

Learned APP however, vehemently opposed the prayer for bail and submitted that the victim girl in her statement under Section 164 Cr.P.C has supported the prosecution case and rape is legal finding and not a medical finding.

Considering the facts aforesaid and the nature of allegation and gravity of offence, I am not inclined to enlarge the petitioner above-named on bail. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

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