

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19678 of 2021

Arising Out of PS. Case No.-342 Year-2020 Thana- KHUSRUPUR District- Patna

Nakul Kumar, son of Chhote Lal Singh @ Chhotan Singh, resident Of Village
- Baruna, P.S.- Fatuha, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Satyendra Narayan
For the Opposite Party/s :	Mr. Arvind Kumar Pandey
	Ms. Meena Singh
	Mr. Bhaskar Shankar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 15-12-2021 Heard the learned counsel for the petitioner, the

learned counsel for the informant and the learned APP for the

State.

The petitioner seeks bail in connection with
Khushrupur P. S. Case No.342 of 2020, instituted for the
offences under Sections 363, 365, 376/ 34 of the Indian Penal
Code and Section 4 of the Protection of Children from Sexual
Offence Act.

The learned counsel for the petitioner submits that the
petitioner is in custody since 29.10.2020, he is a person with
clean antecedent and charge-sheet has been submitted in this
case.

The learned counsel for the petitioner further submits



that the allegation in the F.I.R. is that the informant alleges that his minor daughter aged about 13 years disclosed on 28.10.2020 that she was taken by the petitioner and Raushan Kumar to Patna on 27.10.2020 on motorcycle where Raushan Kumar established physical relation with her.

The learned counsel for the petitioner submits that from perusal of the allegation, it would manifest that the alleged victim has not disclosed that this petitioner also established physical relation with her. Allegation is that he along with Raushan Kumar took her to Patna on motorcycle.

The learned counsel for the informant submits that the prosecution evidence has been closed, on which the learned counsel for the petitioner submits that the defence witnesses are yet to be examined and for which an application has been filed in the learned Court below.

Learned A.P.P. opposes the bail application and submits that admittedly, the victim as per the F.I.R. is of an impressionable age and it was she, who disclosed that she was taken by this petitioner and Raushan Kumar to Patna where Raushan Kumar committed rape upon her.

Considering the fact that the evidence of prosecution witnesses is over and the defence witness is to start, the Court is



not inclined to grant bail to the petitioner in nature of the
allegation as alleged in the F.I.R.

Accordingly, his prayer for bail stands rejected.

(Satyavrat Verma, J)

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