

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20508 of 2021**

Arising Out of PS. Case No.-2 Year-2021 Thana- MAHILA P.S. District- Kaimur (Bhabua)

Jhinga Kharawar S/O Late Lallu Kharawar R/o village- Chilbili, P.S.- Kudra,
District- Kaimur (Bhabua)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjay Kumar Patel, Adv.

For the Opposite Party/s : APP

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER**

3 22-10-2021 Heard learned counsel for the parties through video conferencing.

The petitioner has preferred the instant application for grant of regular bail in a case registered under sections 376 and 457 of the Indian Penal Code and section 4 of the POCSO Act.

As per the prosecution case, the petitioner is stated to have committed rape on the minor informant.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. The medical report which is being brought on record as Annexure-2 to the main petition does not support the allegations levelled in the F.I.R. The age of the informant has been estimated to be between 16-18 years and the informant herself has filed a



compromise petition in the learned Court below, the same being Annexure-3 to this petition. The petitioner is in custody since 7.1.2021 and chargesheet has been submitted in the case.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the direct allegation against the petitioner of having committed rape on the minor victim which is supported by the victim in her statement under section 164 Cr.P.C., the Court is not inclined to enlarge the petitioner on bail an the application is rejected.

(Partha Sarthy, J)

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