

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21685 of 2021**

Arising Out of PS. Case No.-6 Year-2020 Thana- MAHILA P.S. District- Vaishali

ANIKET KUMAR S/O MADAN MOHAN SINGH R/O VILLAGE-
HARAULI, POLICE STATION-HAJIPUR SADAR, DISTRICT-VAISHALI.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar, Advocate
For the Opposite Party/s : Mr. Satyendra Prasad, APP

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

3 17-11-2021 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under section 376DA and other sections of the Indian Penal Code and sections 4 and 6 of the POCSO Act.

As per the prosecution case, while the petitioner is stated to have caught hold of the minor daughter of the informant, it is stated that the co- accused committed rape on her.

It is submitted by learned counsel for the petitioner that the allegations as levelled in the FIR are false and concocted. The petitioner has been falsely implicated in the case. Even as per the allegation in the FIR as also the statement under section 164 Cr.P.C the allegation of rape is not on this



petitioner who is in custody since 14.2.2020 i.e for more than one year nine months and he has no criminal antecedent. He undertakes to cooperate in the trial.

The application for bail is opposed by learned APP for the State who submits that from the contents of the statement under section 164 Cr.P.C the petitioner also actively participated in the occurrence.

Having heard learned counsel for the parties and taking into consideration the facts of the case together with the allegations in the FIR and the statement of the minor victim under section 164 Cr.P.C, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

Liberty is granted to the petitioner to renew his prayer for bail after framing of charge.

(Partha Sarthy, J)

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