

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28012 of 2020

Arising Out of PS. Case No.-24 Year-2020 Thana- MAHILA P.S. District- Samastipur

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GOLU KUMAR @ SAURAV KUMAR Son of Raghunath Jha @ Bandhu Jha
Resident of Village - Kalyanpur Milki, P.S.- Bibhutipur, District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ranjit Kumar Thakur
For the Opposite Party/s : Mr.A.G.

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

12 16-12-2021 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail,
arises out of Women Police Station Case No. 24 of 2020,
disclosing offences under Sections 376(D)(a), 313 of the Indian
Penal Code and Section 4 and 18 of POCSO Act.

The allegation against the petitioner is that he
committed rape along with other co-accused persons upon the
informant aged about 15 years. He allured her for marriage and
on several occasions, he committed rape upon the victim and
when she became pregnant, the petitioner administered

medicine causing into abortion.

The learned counsel for the petitioner has submitted that petitioner is innocent and he has committed no offence. It has further been submitted that there is delay of one and a half years in lodging of the present case.

On the other hand, the learned Addl. P.P. has submitted that the petitioner after alluring the minor victim for marriage subjected her under sexual relation for a long duration and he also caused terminated her pregnancy by administering medicines. He has also submitted that the witnesses in paragraph No.4 and 5 have fully supported the prosecution case and the victim herself in statement under Section 164 Cr.P.C. has narrated the entire occurrence with allegation that the petitioner has committed rape upon her on the pretext of marriage.

The reason for delay in lodging the F.I.R. has been explained in the FIR itself which shows that the victim and his family members were taking efforts for marriage of the informant with the petitioner but ultimately the petitioner refused to marry with the informant.

Considering the above mentioned facts and circumstances, I am not inclined to grant anticipatory bail to the

petitioner. Therefore, the prayer for anticipatory bail of the
petitioner is dismissed.

(Nawneet Kumar Pandey , J)

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