

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39202 of 2021

Arising Out of PS. Case No.-267 Year-2020 Thana- BEUR District- Patna

Rohit Kumar Son of Lal Mohan Rai Resident of Mohalla- Lodipur, P.S.-
Shahpur, District- Patna, at present Village- Chilbilli, P.S.- Beur, District-
Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sarvan Kumar

For the Opposite Party/s : Mr.Binay Krishna

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 01-10-2021 Heard learned counsel for the parties through video
conferencing.

The petitioner seeks bail in Special (POCSO) Case
No. 186 of 2020, arising out of Beur P.S. Case No. 267 of 2020,
registered for the offence under Section 376 (AB) of the Indian
Penal Code, Section 4 / 6 of the POCSO Act and Section 2 / 3
(2)(v) of the SC & ST Act.

As per the prosecution case, this petitioner committed
rape upon the minor daughter of the informant.

It is submitted on behalf of petitioner that though,
there is allegation of committing sexual assault against this
petitioner, but the medical report does not support the
prosecution case. The doctor has not found any injury on the
private part of the victim. During course of investigation, the



victim has not been examined under Section 164 Cr.P.C. and petitioner is in custody since 14.10.2020.

However, learned State counsel has vehemently opposed the bail petition and submitted that there is direct and specific allegation against the petitioner of committing rape upon the minor daughter of the informant.

Considering the nature and gravity of the offence, the bail petition of petitioner stands dismissed.

(Prabhat Kumar Singh, J.)

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