

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30226 of 2020

Arising Out of PS. Case No.-69 Year-2020 Thana- KARAKAT District- Rohtas

RAVI KUMAR @ RAVI KUMAR SONI, S/o Manoj Seth @ Manoj Prasad
Soni @ Manoj Kumar Soni, R/o Vill.-Gorari, P.S.-Karakat, Distt.-Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Ashwani Kumar Tiwary, Adv.
For the State	:	Mr.Brij Kishore Prasad, APP
For the Informant	:	Mr.Raghunandan Kumar Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 06-01-2021 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 363, 376D, 341, 342, 328,
120(B) of the Indian Penal Code and u/s 4/6 of the POCSO Act,
2012.

The prosecution case in brief is that as per FIR, the
informant used to talk with the petitioner since 2012 and there
was love affairs between them and the petitioner forcibly made
physical relation with the informant and petitioner also put
pressure upon the informant to make physical relation with his
friend Sachin Yadav and Sachin Yadav also forcibly made
physical relation with the informant on 08.08.2019 at about 3.00



pm, the informant had gone to Beauty Parlor shop of sister of the petitioner namely Rina Kumari situated at Karakat for making eyebrow where the petitioner was sitting then Rina Kumari told her that she did not make eyebrow of the informant in Karakat she will make her eyebrow at Bikramganj thereafter in half hour Bhola Seth came with four wheeler vehicle there and the informant alongwith Rina Kumari and the petitioner started for Bikramganj by four wheeler vehicle and in the way Bhola Seth feed her cream biscuit due to which she slept and when she woke up at 10.00 pm she found her self locked in room she began to cry thereafter Rina Kumari opened the door and Rina Kumari and Bhola Seth came to her and tied her hand and leg rope and they also tied her mouth with Dupatta.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. The petitioner along with other accused person carried the informant at the village of the Mama of the petitioner namely Lasarhi situated in District-Bhojpur where they kept her in Murgifarm situated out of village Lasarhi and the petitioner, Bhola Seth and Munna Soni committed rape with her one by one. Once the petitioner came to Delhi to meet and he used to talk with phone and said that he will get marry with her



thereafter due to Corona Virus Munna Soni alongwith his family came to his village Lasarhi on 13.03.2020 and the informant began to live at village Lasarhi then on 30.03.2020 Munna Soni left her at Bikramganj Chauk and got her rid on Bike forgoing to village Gorari and when she was going to her house then on Gorari Check post she was interrogated by the police and on make complaint about pain in stomach she was brought to Gorari Hospital thereafter, the mother of the informant came to hospital and she came to police station with her mother and after interrogated by the police she went to her house but her mother refused to keep her because she was pregnant for 6-7 months then she came to police station.

Learned counsel for the petitioner further submits that the allegation as alleged in the FIR has not been taken place rather the name of the petitioner has been tagged in the instant case with ulterior motive and malafide intention. The petitioner is in jail custody since 01.04.2020. The petitioner has got clean antecedent which is mentioned in para 3 of the bail petition. The similarly situated co-accused has been granted bail by a Co-ordinate Bench of this Court vide order 15.12.2020 passed in Cr. Misc. No. 30670/2020.

Learned counsel for the informant submits that the



statement of the victim recorded u/s 164 Cr.P.C. has supported the prosecution case.

Learned APP for the State opposes the prayer for bail petition.

Considering the aforesaid facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail. Accordingly, the prayer for bail of the petitioner is rejected in connection with Karakat P.S. Case No. 69/2020 from the Court of learned 1st Additional District and Sessions Judge, Sasaram, Rohtas.

Accordingly, this application is dismissed.

(Anjani Kumar Sharan, J)

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