

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38209 of 2020

Arising Out of PS. Case No.-55 Year-2020 Thana- BHAGWANGANJ District- Patna

Sujit Kumar Son of Chandradeo Yadav resident of village- Bhajaur, P.s.-
Bhagwanganj, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sheo Kumar Prasad, Advocate
For the Informant	:	Mr. Lalan Kumar, Advocate
For the State	:	Mr. Shyam Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 10-03-2021 Heard learned counsel for the petitioner, learned
APP for the State and learned counsel for the informant.

The petitioner has filed the instant application for grant of regular bail in connection with Bhagwanganj P.S. Case no. 55 of 2020 registered under sections 365, 376D and 506 of the Indian Penal Code and section 6 of the POCSO Act.

As per allegation in the FIR, it is stated that the 3 accused persons including the petitioner herein kidnapped the minor informant. She was taken on a motorcycle, beaten up and threatened. Thereafter, it is stated that Rajesh Kumar and Bhushan Kumar committed rape on her.

It is submitted by learned counsel for the petitioner that the allegations as alleged in FIR are false and concocted. No overt act has been alleged against this petitioner. He has no



criminal antecedent and is in custody since 23.4.2020.

The application for bail is opposed by learned APP for the State and learned counsel for the Informant. It is submitted by learned counsel for the Informant that not only the petitioner is named in the FIR but has played an active role in the commission of the offence.

Having heard learned counsel for the parties and taking into consideration that not only the petitioner is named in the FIR, but is stated to be one of the three named accused persons who kidnapped the minor informant who was raped by the other two co-accused, the Court is not inclined to enlarge the petitioner on bail and the same is rejected.

However, in the facts and circumstances of the case, the petitioner shall be at liberty to renew his prayer for bail after six months.

(Partha Sarthy, J)

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