

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39064 of 2020

Arising Out of PS. Case No.-162 Year-2020 Thana- RAJIVNAGAR District- Patna

Vikash Kumar son of Shree Bhagwan Ray Resident of Village- Harisham Chak Diyara, P.S. Akilpur, District- Patna at present N.T.P.C. Khatal, P.S.- Rajiv Nagar, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ujjawal Kumar Singh, Adv.

For the Opposite Party/s : Mr.Akbar Ali, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 22-03-2021 Heard the learned counsel for the petitioner and Shri Akbar Ali, the learned APP for the State.

The petitioner seeks regular bail in connection with Special Case No. 101 of 2020 arising out of Rajiv Nagar P.S. Case No. 162 of 2020 for the offence punishable under Sections 376(D), 341, 342, 366(A) of the Indian Penal Code and section 4/6 of POCSO Act.

The allegation is regarding the accused persons including the petitioner having raped the minor victim girl.

The learned counsel for the petitioner submits that the petitioner is innocent, has been falsely implicated in the present case, is having a clean antecedent and is languishing in custody since 02.06.2020.



Per contra, the learned APP for the State has vehemently opposed the prayer for bail, made by the petitioner.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties, taking into account the materials available on records as also those available in the case diary and having perused the statement made by the victim girl under section 164 Cr. P.C., before the learned Magistrate, this Court finds that *prima facie* the petitioner is having complicity in the alleged occurrence of him having raped the victim girl, hence, I do not find any merit in the present case. Accordingly, the present petition stands dismissed.

(Mohit Kumar Shah, J)

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