

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6274 of 2021

Arising Out of PS. Case No.-270 Year-2019 Thana- PATORI District- Samastipur

NUNU KUMAR @ NUNU KUMAR RAY, Son of Sri Bhikari Rai @ Bhikhar Kumar Ray, Resident of Village- Dhamaun, P.S.- Patori in the district- of Samastipur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Sunil Kumar, Advocate

For the Opposite Party/s : Mr. Tarun Prasad Mandal, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 22-12-2021 Learned counsel for the petitioner undertakes to remove all the defects as pointed out by office within four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr. Tarun Prasad Mandal, learned A.P.P. for the State.

Petitioner in the present case is seeking pre-arrest bail in connection with Patori P.S. Case No. 270 of 2019 registered for the offence punishable under Section 376/34 of the Indian Penal Code and Section 4 and 6 of POCSO Act. Petitioner has got no criminal antecedent.

Learned counsel for the petitioner submits that the informant alleged that the petitioner and two others caught his daughter while she had gone to ease out on the point of knife



and they committed rape on her.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. It is further submitted that there is delay of five days in lodging the present F.I.R.

Mr. Tarun Prasad Mandal, learned A.P.P. for the State has opposed the prayer for pre-arrest bail of the petitioner.

Having regard to the materials placed before this Court showing that the victim girl was aged about 12 years and the allegation against this petitioner is that he along with two other accused had committed rape on her, the medical examination report is showing the age of the victim between 12-14 years, this Court is not inclined to grant privilege of anticipatory bail to the petitioner. Prayer is, thus, refused.

(Rajeev Ranjan Prasad, J)

vats/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

