

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8330 of 2022

Arising Out of PS. Case No.-45 Year-2021 Thana- MAHILA P.S. District- Muzaffarpur

JYOTI KUMAR Son of Sri Anil Kumar Mishra Resident of Village - Dhiran
Chapra, P.s.- Bela, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajit Kumar Sinha

For the Opposite Party/s : Mr.Sadanand Paswan

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

4 28-07-2022 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has preferred this application for grant of regular bail in a case registered under Sections 341, 342, 376D, 509, 506 and 323 read with 34 of the Indian Penal Code and Section 4 and 6 of the POCSO Rule 3(2)(VA), Scheduled Caste and Scheduled Tribe Rules Section 67A, I.T. Act.

As per the prosecution case, it is alleged that the petitioner and co-accused person took the victim to Tareh Bandh on motorcycle. Both of them committed rape on her one



by one. The petitioner made obscene video of the victim and made the same viral.

Learned counsel for the petitioner has submitted that the petitioner is innocent and he has falsely been implicated in this case on account of village politics. The petitioner has clean antecedent as stated at para 3 of the bail petition. There is a delay of 16 days in lodging the F.I.R. It is further submitted that as per the medical report, age of the victim is 17 years. The petitioner is in custody since 06.09.2021.

Learned A.P.P. for the State has opposed the bail petition of the petitioner by submitting that there is specific allegation against the petitioner.

Considering the aforesaid facts and circumstances as well as the specific allegation against the petitioner, I am not inclined to enlarge the petitioner, above-named on bail.

The bail application is rejected.

(Chandra Prakash Singh, J)

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