

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10347 of 2022

Arising Out of PS. Case No.-450 Year-2021 Thana- CHANDI District- Nalanda

Sudhir Kumar Son Of Sri Sarvan Kumar R/O Village- Chandi Dih, P.S.-
Chandi, District- Nalanda

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar Sinha

For the Opposite Party/s : Mr.Dr. Indiwari Kumari

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 05-09-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner undertakes to
remove the defects within three weeks. In the eventuality of
non-removal of defects within undertaken period, the office will
place the matter before the Bench.

The petitioner is apprehending his arrest in a case
registered for the offence punishable under Sections 376D, 504,
506, 34 of the Indian Penal Code and Section 4/6 of the POCSO
Act.

Learned counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in this
case. He submits that one Bittu Kumar was the neighbours of
the informant has carried the victim by his motorcycle and
thereafter he tried to commit rape but in the meantime,



petitioner and one Nitish Kumar came and caught the Bittu Kumar. He also submits that the police carried the victim girl to police station and intimated the matter to the mother, thereafter, the victim girl has implicated the petitioner in this case after making allegation of rape which nothing but a concocted story because her boyfriend was assaulted by the police. He submits that the medical Board has found the age of the victim girl as 17-18 years. He further submits that petitioner has no criminal antecedent as stated in para-3 of this application.

Learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances of the case and the fact that the victim in her statement recorded under Section 164 Cr.P.C. has supported the prosecution case, I am not inclined to enlarge the petitioner on bail. Accordingly, his prayer for anticipatory bail is rejected in connection with Chandi P.S. Case No. 450 of 2021.

(Anjani Kumar Sharan, J)

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