

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10850 of 2022**

Arising Out of PS. Case No.-95 Year-2015 Thana- NATHNAGAR District- Bhagalpur

RAJEEV KUMAR @ KARTIK YADAV S/o Janardan Yadav @ Janardn
Yadav R/o village- Karela, P.S.- Madhusudanpur, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar Jha

For the Opposite Party/s : Mr.Parmanand Kumar

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

2 29-08-2022 Heard learned counsel for the petitioners and learned
APP for the State.

The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Nathnagar P.S. Case no. 95 of 2015 instituted for the offence punishable under Sections 376, 420 of the Indian Penal Code and Section 4 of the POCSO Act.

It is a case of committing rape by the petitioner upon the informant who is a student of class IX. She was in love with the petitioner since one year and on the pretext of marriage, petitioner established sexual relationship with her many times and later on petitioner refused to marry with the informant.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no



offence. After completing the investigation, the petitioner was not sent up for trial but cognizance has been taken by the learned lower court.

Learned APP appearing for the State has opposed the prayer of bail and submitted that statement of the minor victim girl was recorded under Section 164 Cr.P.C., wherein she has made direct allegation of establishing physical relationship by the petitioner on the pretext of marriage, to which later he denied.

Having heard learned counsel for the parties and taking into consideration that there is direct allegation of committing rape against the petitioner upon the minor girl of the informant, I am not inclined to grant bail to the petitioner and, as such, his application for bail is rejected.

(Sunil Kumar Panwar, J)

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