

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24098 of 2021

Arising Out of PS. Case No.-375 Year-2019 Thana- DHAKA District- East Champaran

DHIRAJ KUMAR Son of Dinesh Chandra Prasad Resident of Village - Parei,
P.s.- Chiraiya, Distt.- East Champaran. Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Priyesh Kumar

For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 27-01-2022 This matter has been taken up for hearing online
because of COVID-19 pandemic restrictions.

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

Learned counsel for the petitioner is expected to honour
his undertaking to remove the defects as pointed out by the office
when called upon to do so by the office.

The instant application for anticipatory bail has been
filed by the petitioner apprehending his arrest in connection with
Dhaka P.S. Case no. 375 of 2019 instituted for the offence
punishable under Sections 376, 420, 406, 506/34 of the Indian
Penal Code and Section 4/6 of the POCSO Act.

As per allegation in the FIR, in absence of informant,
her minor daughter, aged about 14 years, returned to her house in
school break for drinking water, petitioner along with another co-
accused bolted the door from inside and committed rape one by
one upon her with a threatening of dire consequence. After few



days, both persons had also committed rape upon the informant when was alone at her house. Petitioners have created two separate video of the alleged two separate incidents.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. Petitioner is simple a renter of the informant. In fact informant had taken Rs. Five lac from the petitioner on the pretext of her daughter's marriage with an assurance to return the same within a period of three months. On demand, informant refused to return the said money. Only with a view to grab the money of the petitioner, informant has lodged the present FIR on the basis of false and fabricated story.

Learned APP appearing for the State has opposed the prayer of bail and submitted that victim is a minor girl and she is student of class IX.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, 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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