

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28055 of 2021**

Arising Out of PS. Case No.-64 Year-2019 Thana- MAHILA PS District- Buxar

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ABHISHEK KUMAR @ ABHISHEK KUMAR THAKUR S/o Ram Darash
Thakur R/o village- Gangauli, P.S.- Simri, District- Buxar

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arvind Kumar Sinha

For the Opposite Party/s : Mr.Umesh Lal Verma.

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**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

3 29-01-2022 Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State in virtual court

proceeding.

Let the defects, as pointed out by the office, be

removed within four weeks of start of normal functioning of the

physical court.

Petitioner seeks bail in connection with POCSO Case

No. 47 of 2019 arising out of Buxar (Mahila) P.S. Case No. 64

of 2019 registered for the offences punishable under Sections

376(D), 506, 313 of the IPC and Section 4 of POCSO Act.

As per prosecution case, petitioner along with one

other accused committed rape upon the informant aged about 16

years.

Learned counsel for the petitioner submits that



petitioner has clean antecedent and has committed no offence and he has falsely been implicated in the present case. It is further submitted that police after investigation submitted charge sheet against the petitioner. Petitioner is in custody since 18.12.2020.

The learned Additional Public Prosecutor on the basis of the material available on the record and case diary opposed the prayer of bail and submits that there is direct allegation of committing rape against the petitioner. He further submits that prayer for bail of co-accused Sonu Kumar has been twice rejected by this Hon'ble Court.

Considering the aforesaid facts and seriousness of the allegation, I am not inclined to grant bail to the petitioner and accordingly, the same stands rejected.

(Rajesh Kumar Verma, J)

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