

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32566 of 2021**

Arising Out of PS. Case No.-299 Year-2020 Thana- SUPPI District- Sitamarhi

BAJRANGI KUMAR S/o Bibekan Ray R/o village- Mohini Mandal, P.S.-
Suppi, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pushpendra Kumar Singh
For the Opposite Party/s : Mr. Addl. Public Prosecutor

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

3 20-06-2022 Heard learned counsel for the parties.

The petitioner apprehends his arrest in a case registered for the offence under Sections 363, 366(A), 376, 34 of the Indian Penal Code and Section 4/6 of POCSO Act.

As per the prosecution case, this petitioner alongwith others kidnapped the minor daughter of the informant and thereafter, this petitioner forcibly committed rape upon her.

It is submitted on behalf of petitioner that alleged date of occurrence is 26.12.2020, but F.I.R. has been lodged belatedly on 31.12.2020 and there is no plausible explanation of delay. It is further submitted that the victim is 18 years old and as per medical report, doctor has not found any sign of rape.

However, learned A.P.P. for the State opposed the prayer for anticipatory bail and submitted that there is specific



and direct allegation against this petitioner of committing rape upon the minor daughter of informant, which has been fully supported by witnesses and in paragraph 77 of the case diary, date-of birth of the victim has been recorded as 05.05.2005.

Considering the nature of accusation and age of the victim, which has been assessed between 15 – 16 years, I am not inclined to extend the privilege of anticipatory bail to the petitioner and same is, accordingly, rejected.

(Prabhat Kumar Singh, J)

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