

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34972 of 2022

Arising Out of PS. Case No.-102 Year-2022 Thana- PARBATTa District- Khagaria

Rupesh Kumar @ Vivek Kumar Son Of Dinesh Singh Resident of Village-
Karna, Police Station- Parbatta, District- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar, Adv.

For the Opposite Party/s : Mr. Mithlesh Kumar Khare, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 18-10-2022 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Parbatta P.S. Case No. 102 of 2022, G.R. No. 05 of 2022 arising
out of POCSO Case No. 09 of 2022 lodged under Sections 376,
342, 504 of the I.P.C. read with Section 4 of the POCSO Act.

As per the prosecution case, the informant has alleged
that her daughter aged about 7 years was playing, in the
meantime, the co-villager that is the petitioner has called the
daughter of the informant and alleged to be done the act covered
under Section 376 and POCSO Act.

Learned counsel for the petitioner submits that

petitioner is innocent and has committed no offence. He submits that he is in custody since 10.03.2022. There is one case pending against him in which he is on bail, charge sheet has already been filed in this case.

Learned counsel also submits that petitioner was not arrested rather he is suo moto surrendered in this case and since he is in jail.

Learned counsel for the State opposes the prayer for bail and submits that the alleged victim girl has given her statement under Section 164 of Cr.P.C. in which she supported the commission of the act as alleged in the F.I.R.

Learned counsel further submits that evidence is going on in this case and there is every likelihood that case may be concluded as the earliest.

In the present facts and circumstances of this case and the submissions made above, I am not inclined to grant bail to the petitioner, therefore, bail petition of the petitioner is hereby rejected.

With this observation, the bail application stands rejected.

(Dr. Anshuman, J.)

sadique/-

U		T	
---	--	---	--