

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48691 of 2021

Arising Out of PS. Case No.-22 Year-2021 Thana- MAHILA P.S. District- Siwan

SUJEET RAJBHAR Son of Rambali Rajbhar @ Ram Bali Resident of
Village - Nawka Tola, P.S.- Mairwa, Dist.- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Javed Aslam, Advocate

For the Opposite Party/s : Mr. Murli Dhar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 28-04-2022 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor appearing for the

State.

Petitioner seeks regular bail in connection with
Siwan Mahila P.S. Case No. 22/2021 registered for the
offence punishable under Section 376-D of the Indian Penal
Code 1860 and Sections 4/6 of POCSO Act.

The prosecution case, as per the First Information
Report, is that one Madhav Gupta with whom the victim
girl was having friendly relationship through facebook
called the victim girl and committed rape along with his
friends including the petitioner, total five in numbers. It is a
case of gang rape of minor.



Learned counsel for the petitioner submits that in the First Information Report the informant has disclosed that she was subjected to rape on 4.4.2021 but the First Information Report has been lodged after delay of five days i.e. 9.4.2021. He further submits that in the medical examination of the victim girl no sign of rape or apparent injury on the victim have been found and the petitioner has falsely been implicated in this case due to village politics.

On the other hand, learned counsel for the State referring to the statement of the victim girl recorded under Section 164 Cr. P.C. by the learned Magistrate submits that the girl is aged about 15 years and she is minor and she has supported the prosecution story in her statement recorded under Section 164 Cr. P.C.

Regards being had to the submission made by the parties and taking into consideration the statement of the victim girl recorded under Section 164 Cr. P.C. and the fact that the petitioner is categorically named in the First Information Report, I am not inclined to grant regular bail to the petitioner.

Accordingly, the prayer for bail of the petitioner



stands rejected.

Let the trial be expedited by the trial court.

(Anil Kumar Sinha, J)

S.Ali/-

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

