

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60404 of 2021

Arising Out of PS. Case No.-206 Year-2020 Thana- RAJAOLI District- Nawada

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Akhilesh Rajbanshi S/o Permeswar Rajbanshi Resident of Village - Kalaunda
Chattar , P.S. - Akberpur, District - Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Kamaluddin, Adv.

For the Opposite Party/s : Mr. Uday Chand Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 28-09-2022 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
Rajauli P.S. Case No. 206 of 2020 lodged under Section 376(G)
of the I.P.C. and 4 POCSO Act.

As per the prosecution case, the informant who is a
minor, has disclosed that petitioner along with other accused
persons had raped her alternatively when she went for nature
call.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. Learned
counsel for the petitioner submits that petitioner is *damad* (son-

in-law) of the village and this allegation is absolutely absurd. He further submits that petitioner is in custody since 19.05.2022 having clean antecedent.

Learned counsel for the State opposes the prayer for bail and submits that the plain reading of F.I.R. indicates that 2 accused persons had raped victim informant and the victim has confirmed her version in the statement under section 164 of the Cr.P.C. before the magistrate.

On specific query that whether charge has been framed or not, learned counsel for the petitioner submits that he is not sure whether charge has been framed or not.

In the present facts and circumstances of this case and the submissions made above, I am not inclined to grant bail to the petitioner at present, but liberty is hereby granted to the petitioner to move for bail after one year of framing of charge.

With this observation, the bail application stands rejected.

(Dr. Anshuman, J.)

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