

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52612 of 2022

Arising Out of PS. Case No.-108 Year-2022 Thana- AWTARNAGAR District- Saran

1. Vivek Kumar @ Vivek Kumar Ray Son of Lagan Ray @ Krishna Ray Presently residing at Aami Mayurpur, P.S. - Dighwara, District - Saran. Permanently Resident of Village - Dharipur, P.S. - Awtar Nagar, District - Saran.
2. Vikash Ray Son of Bikha Ray @ Lalbhar Rau Presently residing at Aami Mayurpur, P.S. - Dighwara, District - Saran. Permanently Resident of Village - Dharipur, P.S. - Awtar Nagar, District - Saran.
3. Pankaj Ray Son of Ramayan Ray Resident of Village - Basantpur, P.S. - Awtar Nagar, District - Saran, Presently residing at Village - Barbanan, P.S. - Dighwara, District - Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Krishna Kumar Singh
For the Opposite Party/s : Mr.Manoj Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 20-12-2022 Heard both parties.

The petitioners apprehend their arrest in Awtarnagar P.S. Case No. 108 of 2022, registered for the offences punishable under Section 376/34 of the Indian Penal Code and section 4/6 of the POCSO Act.

As per the prosecution case, all the petitioners committed rape with the victim.

It is submitted on behalf of petitioners that petitioner have been falsely implicated in this case because mother-in-law of petitioners had lodged Awtarnagar PS case No. 112 of 2022



dated 13.06.2022 under Section 302 and other allied sections of the Indian Penal Code against father informant. Moreover, the occurrence took place on 09.06.2022, but the FIR was lodged on 13.06.2022.

Counsel for informant however vehemently opposed the prayer for bail and submitted that these petitioners committed gang rape with the informant.

Considering the nature of accusation, I am not inclined to enlarge the petitioners above-named on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

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