

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64333 of 2021**

Arising Out of PS. Case No.-19 Year-2018 Thana- MUZFFARPUR COMPLAINT CASE
District- Muzaffarpur

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NEERAJ KUMAR S/o Ghoghari Ram R/o village- Roshanpur, (O.P.-
Panapur), P.S.- Kanti, District- Muzaffarpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. NILU KUMARI D/o Nagendra Ram Presently residing at Village- Gahilo,
Post- Jaitpur, P.S.- Saraiya, District- Muzaffarpur

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Hari Kishore Thakur

For the Opposite Party/s : Mr.Chandra Sen Prasad Singh

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

2 24-02-2022 Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for
the offence punishable under Section 376 of the Indian Penal
Code and u/s 4 of POCSO Act.

As per the prosecution case, this petitioner committed
repeated sexual assault with the victim on the false pretext of
marriage.

Learned counsel appearing for the petitioner submits
that petitioner is innocent and has falsely been implicated in the
case. It is submitted that victim was a consenting party and she
voluntarily accompanied the petitioner and indulged in sexual
relation with him. Petitioner claims clean antecedent and is in



custody since 28.09.2021 and investigation in this case is complete.

Learned counsel appearing for the State opposes the prayer for bail and submits that victim is minor and there is specific and direct allegation against this petitioner that he committed repeated sexual assault with victim on the false pretext of marriage.

Considering the nature of accusation and gravity of the offence, I am not inclined to enlarge the petitioner on bail. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

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