

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11531 of 2023**

Arising Out of PS. Case No.-111 Year-2022 Thana- VALMIKINAGAR District- West
Champaran

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DINESH KUMAR @ GOLU KUMAR S/O CHHOTELAL DOM @
CHOTELAL RAUT Resident of Village- Kast Bhandar Goal Chowk,
Valmikinagar, P.S.- Valmikinagar, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Zainul Abedin, Adv.

For the Opposite Party/s : Mr. Uday Pratap Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

3 21-06-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in connection with
Valmikinagar P.S. Case No. 111 of 2022 registered for the offence
under Sections 376, 341, 323, 504 and 506/34 of the Indian
Penal Code Indian Penal Code and Section 6 and 12 of the POCSO
Act, 2012.

The informant alleged that the petitioner along with
others have tried to outrage her modesty and made video of her
molestation.

Learned counsel appearing for the petitioner submits
that the petitioner, who is of clean antecedent, is innocent and
has falsely been implicated in this case. He further submits that
the allegation, as alleged in the F.I.R., is false and fabricated and



the petitioner has not committed any offence. He further submits that the allegation as alleged in the F.I.R. is not supported by the medical evidence. The petitioner is rotting in judicial custody since 11.11.2023.

Learned A.P.P. for the State on the basis of material available on record and the case diary vehemently opposed the prayer for bail of the petitioner and submits that statement of the victim was recorded under Section 164 Cr.P.C. in which she has categorically stated that petitioner and other accused persons have committed rape upon her. He further submits that though medical examination does not support the allegation but the statement of victim is sufficient to prosecute the petitioner under Section 376 of the Indian Penal Code which sufficiently proves that prima facie case is made out against the petitioner. Hence, the petitioner may not be enlarged on bail.

Considering the facts and circumstances of the case, and also the statement of victim with respect of commission of offence, this Court is not inclined to enlarge the petitioner on bail. Accordingly, the prayer for bail of this petitioner is rejected.

(Rajesh Kumar Verma, J)

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