

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7497 of 2023

Arising Out of PS. Case No.-60 Year-2022 Thana- BEN P.S. District- Nalanda

RAVI KUMAR Son of Shalu Paswan R/V- Karjara, P.S- Nalanda Dist-
Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar No.1, Adv.

For the Opposite Party/s : Mr.Ram Bilash Roy Raman, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 05-05-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in connection with Children
Case No. 07 of 2022 arising out of Ben P.S. Case No. 60 of 2022
dated 23.04.2022 registered for the offence under Sections 377
of the Indian Penal Code and under Section 4 and 6 POCSO Act
and charge sheet has been submitted under Section 376 and 377
of the Indian Penal Code and Section 4 and 6 of the POCSO Act.

The minor daughter of the informant is subjected to
molestation at the instance of the petitioner.

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 as no



such occurrence has taken place. He further submits that the petitioner happens to be a juvenile as he is aged about 16 years only. He further submits that the victim was examined and the doctor has not found any internal or external injury on the person of the victim, therefore, no case under Section 376 of the Indian Penal Code is made out against the petitioner. The petitioner is rotting in judicial custody since 25.04.2022.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the allegation as alleged in the F.I.R. is corroborated by the medical evidence as well as the statement of the victim, who was 8-9 years old at the time of occurrence, recorded under Section 164 Cr.P.C. in which she has admitted that the petitioner tried to molest her. Hence, the petitioner does not deserve to be enlarged on bail.

Considering the facts and circumstances of the case and the nature of offence as well as the age of the victim, 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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