

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10176 of 2023

Arising Out of PS. Case No.-452 Year-2022 Thana- BARUN District- Aurangabad

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Raushan Kumar Son Of Ashok Kumar @ Ashok Chaudhary R/O Vill.-
Nageshwarpur, P.S.- Barun, Distt.- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Navin Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 08-05-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, if any, within
a period of four weeks from today.

Petitioner seeks bail who is in custody since
17.11.2022 in connection with Barun P.S. Case No. 452 of 2022,
F.I.R. dated 13.10.2022 for the offences punishable under
Sections 341, 323, 504, 366, 366A and 376 of the Indian Penal
Code and Section 8 and 12 of the POCSO Act.

According to prosecution case, the petitioner along
with other accused persons kidnapped the daughter of the
informant with wrong intentions.

Learned counsel for the petitioner submits that



petitioner has clean antecedent and he has falsely been implicated in the present 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 as alleged in the F.I.R. It appears from the F.I.R.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that the statement of the victim girl was recorded under Section 161 as well as 164 of the Cr.P.C. in which she has categorically stated that the petitioner had committed rape upon her and the time of the occurrence, the victim was minor.

Considering the aforesaid facts and circumstances, I am not inclined to enlarge the petitioner on bail in connection with Barun P.S. Case No. 452 of 2022 pending in the court of learned Additional District & Sessions Judge-cum-Exclusive Judge (POCSO), Aurangabad.

Prayer is refused.

(Rajesh Kumar Verma, J)

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