

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10921 of 2023**

Arising Out of PS. Case No.-344 Year-2022 Thana- RAHUI District- Nalanda

AMAN RAJ S/O LATE SHARWAN PASWAN R/v- Sandalpur, P.S.- Harnaut,
District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binit Kumar, Adv.

For the Opposite Party/s : Mr. Mohammad Sufyan, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA

ORAL ORDER

3 24-06-2023 Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State.

Petitioner seeks bail, who is in custody since 10.07.2022 in connection with Rahui P.S. Case No.344/2022, F.I.R. dated 23.06.2022, for the offences punishable under Sections 420, 376, 504 of the IPC, Section 4/6 POCSO Act and Sections 66 and 67 of the I.T. Act.

According to prosecution case, there is allegation against the petitioner that he gave sweet water to the victim and thereafter she became unconscious and in the state of unconsciousness, the petitioner alleged to have taken her naked photograph and prepared a video. It is alleged that the petitioner called the brother of the victim and threatened him to get solemnized his marriage with the victim otherwise he will make viral to the video and photographs on the social media.

Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has falsely been implicated in



the present case. He further submits that only to put pressure upon the petitioner to get marriage with the victim, the present case has been instituted. He further submits that the petitioner has not committed any offence and the Medical Board has also assessed the age of the victim between 17 to 18 years.

Learned Additional Public Prosecutor for the State on the other hand on the basis of material available on record and the case diary has vehemently opposed the prayer for bail of the petitioner and submits that sufficient material has come during investigation against the petitioner and the statement of the victim was recorded under Section 164 Cr.P.C., in which, she has categorically stated that the petitioner has committed rape upon her. Apart from the aforesaid, the victim has also alleged that the petitioner has sent un-parliamentary message to her.

Considering the aforesaid facts, I am not inclined to enlarge the petitioner on bail in connection with POCSO Case No. 70/2022, corresponding to Rahui P.S. Case No. 344/2022, pending in the court of learned Additional Sessions Judge-VII-cum-Special Judge, POCSO, Biharsharif, Nalanda.

Prayer is refused.

(Rajesh Kumar Verma, J)

amit/-

U		T	
---	--	---	--

