

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20670 of 2023

Arising Out of PS. Case No.-225 Year-2022 Thana- RAJPUR District- Buxar

Laxman Kumar S/O- Avish Chouhan @ Avish Kumar Chouhan Village-
Sarenja P.S.- Rajpur Dist- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Shankar Pathak

For the Opposite Party/s : Mr.Nirmal Kumar Sinha

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 06-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail, who is in custody since
07.08.2022, in connection with Rajpur P.S. Case No. 225 of 2022,
POCSO Case No. 77 of 2022, F.I.R. dated 06.08.2022 registered for
the offences punishable under Section 376 of the Indian Penal
Code and Section 4 of the POCSO Act.

Allegation against the petitioner is that he committed
rape upon the minor daughter of the informant.

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



He further submits that in fact the petitioner was in love with the victim and the victim wants to marry with the petitioner.

Learned APP for the State, on the other hand, on the basis of material available on record and the case diary, vehemently opposed the prayer for bail and submits that it has come during investigation that the date of birth of the victim is 06.02.2006 and as per date of birth the victim was minor at the time of the occurrence and the medical report also confirms the allegation as alleged in the F.I.R. by the informant.

Considering the aforesaid facts that there is direct allegation against the petitioner, I am not inclined to enlarge the petitioner on bail in connection with Rajpur P.S. Case No. 225 of 2022, POCSO Case No. 77 of 2022 pending in the Court of learned A.D.J. VIth cum Special Judge POCSO Act, Buxar.

Prayer is refused.

(Rajesh Kumar Verma, J)

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