

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23150 of 2023

Arising Out of PS. Case No.-12 Year-2023 Thana- PHENHARA District- East Champaran

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AJEET KUMAR Son of Bahadur Ram R/V- Ahibaran Chhapra, PS-Rajepur
Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr.Chandra Sen Prasad Singh,APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 27-07-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since 29.01.2023 in connection with Phenhara P.S. Case No. 12 of 2023, F.I.R. dated 28.01.2023 registered for the offence punishable under Sections 363/366A/34 of the Indian Penal Code and Section 8 POCSO Act.

3. The brief facts of the case is that the minor daughter of the informant has been abducted by the petitioner.

4. Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent. He has falsely been implicated in the present case. The petitioner is not named in the FIR. The name of the petitioner has been transpired during investigation on the basis of the statement of the victim



under Section 164 Cr.P.C.

5. Learned APP for the State, on the other hand, on the basis of the material available on the record and the case diary has opposed the prayer for bail of the petitioner and submits that the victim was recovered and her 164 Cr.P.C. statement was recorded in which she has categorically stated that the petitioner has committed rape upon her on 26.01.2023 and the medical report of the victim also supports the allegation as alleged in the statement under Section 164 Cr.P.C.

6. Considering the aforesaid facts, I am not inclined to enlarge the petitioner on bail in connection with Phenhara P.S. Case No. 12 of 2023 pending in the court of learned Additional District and Sessions Judge-VII-cum-Special Judge, POCSO Act, East Champaran, Motihari.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

Nitesh/-

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