

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23848 of 2023

Arising Out of PS. Case No.-11 Year-2022 Thana- MAHILA P.S. District- Sitamarhi

Abhishek Kumar son of Digvijay Rai @ Digvijay Prasad Yadav Village-
Sugaridih Ps- Mahindwara Dist- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Khurshid Anwar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 17-07-2023 Heard learned counsel for the petitioner, learned
counsel appearing on behalf of the informant as well as 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
19.06.2022 in connection with Sitamarhi Mahila P.S. Case No.
11 of 2022, F.I.R. dated 11.06.2022 for the offences punishable
under Section 376(D) of the Indian Penal Code and Section 4/6
of POCSO Act.

According to prosecution case, all the accused persons
including this petitioner had kidnapped the minor daughter of
the informant and committed rape upon her.



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 offences as alleged in the F.I.R.

The learned counsel appearing on behalf of the informant as well as learned Additional Public Prosecutor have vehemently opposed the prayer for bail of the petitioner and submit that the allegation as alleged in the F.I.R is supported by the victim in her statement recorded under Section 164 of the Cr.P.C. and the victim was minor at the time of the occurrence.

Considering aforesaid facts and circumstances, I am not inclined to enlarge the petitioner on bail in connection with Sitamarhi Mahila P.S. Case No. 11 of 2022 pending in the court of learned Additional Sessions Judge VI-cum-Special Judge (POCSO Act), Sitamarhi.

Prayer is refused.

(Rajesh Kumar Verma, J)

Vanisha/-

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

