

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28229 of 2022**

Arising Out of PS. Case No.-10 Year-2022 Thana- TARAPUR District- Munger

RAJ KUMAR @ RAJ @ RAJ KUMAR YADAV SON OF LATE UTTAM
YADAV, R/O VILLAGE- BANSHIPUR, P.S.- TARAPUR, DISTRICT-
MUNGER.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Devendra Kumar Pandey

For the Opposite Party/s : Mr.Dr.Mrityunjaya Kr.Gautam

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

7 04-05-2023 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the office within one

month.

Heard the learned counsel for the petitioner as well as
the learned Additional Public Prosecutor for the State.

The petitioner is seeking regular bail in connection
with Tarapur P.S. Case No. 10/2022, registered for offence
punishable under section 376(2)(n) of the Indian Penal Code
section 4 of the POCSO Act.

As per allegation, the petitioner developed intimacy
with the victim girl, who is minor, and thereafter committed
rape upon her.

The learned counsel for the petitioner has submitted



that the FIR shows itself that the victim went to the petitioner herself. There was intimacy between them and the petitioner is not guilty for the offence of rape, as sexual relation was consensual.

On the other hand, the learned APP has opposed the prayer for bail and has submitted that the trial is going on, the witnesses are regularly examined and there is every likelihood of conclusion of the trial within a period of six months.

Presently the prayer for bail of the petitioner is rejected with the observation that if the trial is not concluded within a period of six months, he, if so advised, may renew his prayer for bail.

Office shall ensure that all defects are removed by the petitioner within the stipulated time mentioned hereinabove, failing which, the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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