

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29100 of 2023

Arising Out of PS. Case No.-81 Year-2022 Thana- MAHILA P.S. District- Saharsa

RUPCHAN KUMAR @ RUPESH KUMAR @ RUPCHAND KUMAR, Son
of Nandlal Yadav, Resident of village-Durgapur, Ward No. 08, Police Station-
Basnahi, District-Saharsa

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Syed Masleh Uddin Ashraf, Advocate
For the Opposite Party/s : Mr. Sadanand Paswan, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 24-05-2023 Heard learned counsel for the parties.

Let the defect(s), if any, be removed within a period
of four weeks from today.

This application is filed for grant of regular bail in
connection with POCSO Case No. 02 of 2023 (arising out of
Saharsa Mahila Police Station Case No. 81 of 2022) registered
for the offence under Sections 341, 323, 354 (C), 354 (D), 504,
and 506 and 34 of the Indian Penal Code, sections 3(I)(r), 3(I)
(s), 3(2) (Va) of the SC/ST Act and sections 8 and 12 of the
POCSO (Protection of Children from Sexual Offences) Act,
2012.

The prosecution story, in brief, is that the daughter of
the informant was caught hold by the accused persons while she



was returning home after attending a *katha* and they assaulted and tried to disrobe her in order to make obscene video.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case. Learned counsel for the petitioner further submits that there is nothing on record that the victim girl was sexually assaulted. The petitioner is in custody since 18.11.2022.

Considering the aforesaid fact that the petitioner is accused of disrobing and trying to commit rape and making video, I am not inclined to grant bail to the petitioner. Accordingly, this regular bail application is dismissed.

The trial court is directed to expedite the trial and conclude the same as early as possible.

The petitioner may renew his prayer for bail after the examination of the victim in the learned Court below.

(Sandeep Kumar, J)

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