

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30054 of 2023

Arising Out of PS. Case No.-224 Year-2022 Thana- SHAHKUND District- Bhagalpur

Rahul Kumar Tanti @ Rahul Kumar @ Rahul Kr. Tanti S/O Domi Tanti
Resident of Village Hasanchak Navtolia P.S. Shahkund (Sajour) District
Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravish Mishra, Advocate

For the Opposite Party/s : Mr.Kalyan Shankar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 19-08-2023 Heard the parties.

The petitioner is in judicial custody in connection with Special POCSO Case No.161 of 2022 arising out of Shahkund (Sajour) P.S. Case No.224 of 2022 instituted under Sections 376, 323, 504/34 of the Indian Penal Code and Sections 4/8 of the POCSO Act lodged on 07.08.2022 by the informant.

As per the prosecution story, the allegation is that petitioner on the false promise of marriage, sexually assaulted the victim girl 'X' and this resulted into 22 weeks pregnancy and the allegation is that he later fled from the place to Gujarat. Accordingly, the FIR.

As per the observation of the learned Sessions Judge, the date of birth of the victim girl is 2007, the FIR is of 2022



which clearly shows that at the time of the sexual assault as also the FIR she was minor.

Considering the aforesaid facts, this Court is not inclined to extend him privilege of bail which is accordingly rejected.

(Rajiv Roy, J)

Prakash Narayan

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