

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.41089 of 2023**

Arising Out of PS. Case No.-551 Year-2022 Thana- HAJIPUR SADAR District- Vaishali

Akhilesh Kumar @ Aditya Kumar S/O Sitam Yadav R/O Village- Kachahari  
Tola, P.S- Sugauli, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Baidya Nath Thakur, Advocate

For the Opposite Party/s : Mr. Usha Kumari 1, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA  
ORAL ORDER**

3      18-08-2023                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. Petitioner seeks bail, who is in custody since 27.03.2023, in connection with Hajipur Sadar P.S. Case No. 551 of 2022, F.I.R. dated 19.07.2022 registered for the offences punishable under Sections 341, 342, 323, 376 of the Indian Penal Code, Sections 4 and 6 of the POCSO Act and Section 3(i)(r)(s) of the SC/St Act.

3. The prosecution case, in brief, is that the informant (victim) gave her fardbeyan on 19.07.2023 in the evening stating and alleging therein that she was called by Aditya Kumar @ Akhilesh Kumar for interview in a Company and in that carve she was raped.



4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has been falsely 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 offence as alleged in the F.I.R. He further submits that the petitioner and the informant were working together in the AWPL Company, Bokaro, Jharkhand and the informant took loan of Rs. 50,000/- from the petitioner and when he demanded to refund money then false and fabricated case instituted against the petitioner.

5. Learned APP for the State, on the other hand, vehemently opposed the prayer for bail and submits that the statement of the victim girl was recorded under Section 164 of the Cr. P.C. in which she has categorically stated that the petitioner has committed rape upon her and at the time of the occurrence the victim was minor and medical report of the victim was conducted on 03.08.2022 but the date of occurrence as alleged in the F.I.R. on 19.07.2022.

6. Considering the aforesaid facts that there is direct allegation against the petitioner, I am not inclined to enlarge the petitioner on bail in connection with Hajipur Sadar P.S. Case No. 551 of 2022 pending in the Court of 6<sup>th</sup>



Additional Sessions Judge-cum-Special Judge (POCSO),  
Vaishali at Hajipur.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

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