

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47665 of 2023

Arising Out of PS. Case No.-523 Year-2023 Thana- TURKAULIYA District- East
Champaran

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AKHILESH KUMAR RAM Son of Surendra Ram Resident of village -
Babhnauliya, P.S. - Turkauliya, Distt. - East Champaran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Singh, Advocate
For the Informant	:	Mr. Abhishek Kumar, Advocate
For the Opposite Party/s	:	Mr. Binod Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 30-08-2023 Heard learned counsel for the petitioner, learned
counsel appearing on behalf of the Informant and learned APP
for the State.

2. Petitioner seeks bail, who is in custody since
06.05.2023, in connection with Motihari vide Turkauliya P.S. Case
No. 523 of 2023, F.I.R. dated 03.05.2023 registered for the
offences punishable under Sections 341, 323, 376, 504, 506/34
of the Indian Penal Code and Sections 4/6 of the POCSO Act.

3. Allegation against the petitioner is that he
committed rape upon the victim.

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.

5. Learned counsel appearing on behalf of the Informant and 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 the medical report of the victim also suggests that she is subjected to sexual assault by the petitioner and at the time of occurrence, the victim was minor.

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 Motihari vide Turkauliya P.S. Case No. 523 of 2023 pending in the Court of 6th Additional Sessions Judge-cum-Special Judge, POCSO Act, East Champaran at Motihari.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

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