

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48563 of 2022

Arising Out of PS. Case No.-143 Year-2022 Thana- NOKHA District- Rohtas

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Sona Singh @ Sonu Kumar Son of Sri Niwas Singh @ Bhulai Singh R/V-
Kaithi, P.S- Nokha (Dharampura O.P) Dist- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh, Advocate

For the Opposite Party/s : Mr. Prem Kumar Jha, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 27-02-2023 Learned counsel for the petitioner is directed to

remove the defects, as pointed out by the office, if any, within a

period of four weeks from today.

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner seeks bail in a case registered for the

offences punishable under Sections 376(D), 506 of the Indian

Penal Code and Section 6 of the POCSO Act.

Allegation against the petitioner is that he along with

other co-accused persons committed rape with the daughter of

the informant.

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 it appears



from the F.I.R. that the allegation as alleged in the F.I.R. is false and fabricated and no such occurrence had taken place as alleged in the F.I.R. He further submits that there is no eye witness to the alleged occurrence.

Learned APP for the State, on the other hand, on the basis of the material available on record as well as the case diary, has vehemently opposed the prayer for bail of the petitioner and submits that the statement of the victim was recorded under Section 164 of the Cr. P.C. in which she has categorically stated that the petitioner and other co-accused persons have committed rape upon her and it has come during medical examination that the victim is minor.

Considering the aforesaid facts, I am not inclined to enlarge the petitioner on bail in connection with Nokha (Dharampura O.P.) P.S. Case No. 143 of 2022 pending in the Court of learned Additional Sessions Judge-VI, Exclusive Special Court POCSO, Rohtas at Sasaram.

Prayer is refused.

(Rajesh Kumar Verma, J)

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