

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49073 of 2022

Arising Out of PS. Case No.-26 Year-2022 Thana- MAHILA P.S. District- Rohtas

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DHANJI BAITHA S/O SAMBHU BAITHA Resident of village- Sonhar,
P.S.- Sheosagar, District- Rohtas

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rabindra Kumar, Advocate

For the Opposite Party/s : Mr.Aditya Narayan Singh.1, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 04-05-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and the learned A.P.P. for the State.

Let the defects, as pointed out by the office, be
removed within a period of four weeks from today.

The petitioner seeks bail, who is in custody since
23.04.2022 in connection with Mahila P.S. Case No. 26 of
2022, F.I.R. dated 22.04.2022 registered for the offence
punishable under Sections 376 and 506 of the Indian Penal
Code and Section 4/6 of POCSO Act.

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

Learned counsel appearing for the petitioner submits
that the petitioner has clean antecedent. He has falsely been
implicated in the present case. Further submits that the



allegation as alleged in the FIR is false and fabricated. No such occurrence had taken place.

Learned counsel for the informant as well as the learned APP for the State have vehemently opposed the prayer for bail of the petitioner and submits that the statement of the victim under Section 164 Cr.P.C. was recorded in which she has categorically stated that the petitioner has committed rape upon her and the medical report also corroborate the allegation as alleged in the FIR and petitioner refused for his medical examination.

Considering the aforesaid facts, I am not inclined to enlarge the petitioner on bail in connection with Mahila P.S. Case No. 26 of 2022 pending in the court of learned Additional Sessions Judge-VII-cum-Exclusive Special Court, POCSO, Rohtas at Sasaram.

Prayer is refused.

(Rajesh Kumar Verma, J)

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