

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55934 of 2023

Arising Out of PS. Case No.-143 Year-2022 Thana- DANAPUR District- Patna

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Suraj Kumar @ Surya Son Of Baijnath Singh Resident Of Village
-BHERAHARIYA Post -SIYARAMPUR P.S-. Paliganj District- Patna Pin
801110

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ranjit Jha

For the Opposite Party/s : Mr.Ramchandra Sahni

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 29-11-2023 Heard learned counsel for the petitioner,

learned counsel for the informant and learned APP for

the State.

The instant application for regular bail has been

filed by the petitioner in a case instituted for the offence

punishable under Sections 376(D), 504, 506/34 of the

Indian Penal Code, Section 4 of the POCSO Act and

Section 67, 67-A of the I.T. Act.

As per allegation in the FIR, informant aged

about 16 years, had developed friendship with co-

accused Mantosh Kumar via Facebook. He went with the



victim/informant to his friend's house where, petitioner and co-accused Mantosh Kumar committed rape and made a video of the occurrence. The accused persons threatened her not to disclose the matter to any one otherwise they will viral the video on social medial and after some days, co-accused Mantosh Kumar had made the video viral on facebook account of the informant and her brother.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. In fact, informant was in love with the co-accused Mantosh Kumar and they married at Vishnu Pad Mandir, Gaya, but due to fear of her father, she is not accepting. Medical report is not supporting the prosecution story as doctor has also not confirmed the rape upon the victim. The petitioner is languishing in custody since 05.07.2023.

In contra, learned APP appearing for the State and learned counsel appearing for the informant have



opposed the prayer of bail and submitted that statement of the victim girl was recorded under Section 164 Cr.P.C., wherein she had made direct allegation of rape against the petitioner and co-accused Mantosh Kumar.

Having heard learned counsel for the parties and taking into consideration that there is direct allegation of committing rape against the petitioner upon the informant, this Court is not inclined to grant bail to the petitioner and, as such, his application for bail stands rejected.

The trial court is directed to expedite the trial and conclude the same at the earliest.

(Sunil Kumar Panwar, J)

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