

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55943 of 2022

Arising Out of PS. Case No.-215 Year-2022 Thana- ROSERA District- Samastipur

Raja Singh @ Rajan Kumar Singh Son of Late Baleshwar Singh Resident of
Village- Damodarpur, Ward No.-05, P.S.- Rosera, District- Samastipur
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amit Kumar Singh, Advocate
For the Opposite Party/s : Mr. Binay Krishna, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 01-05-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, if any, within
a period of four weeks from today.

Petitioner seeks bail who is in custody since
04.08.2022 in connection with Rosera P.S. Case No. 215 of
2022, F.I.R. dated 04.07.2022 for the offences punishable under
Section 376 of the Indian Penal Code and Section 4 of POCSO
Act.

According to prosecution case, the petitioner
committed rape of the victim while she was returning from her
friend's house.

Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been



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.

The learned Additional Public Prosecutor on the basis of material available on record and case diary has vehemently opposed the prayer for bail of the petitioner and submits that the victim girl was recovered and her statement 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 examination also supports the allegation as alleged in the F.I.R. He further submits that the victim was minor at the time of alleged occurrence.

Considering the aforesaid facts and circumstances, I am not inclined to enlarge the petitioner on bail in connection with Rosera P.S. Case No. 215 of 2022 pending in the court of learned Additional District Judge VI cum Special Judge (POCSO) Act Samastipur.

Prayer is refused.

(Rajesh Kumar Verma, J)

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