

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58237 of 2022

Arising Out of PS. Case No.-961 Year-2021 Thana- BANKA District- Banka

CHHOTU SHARMA S/O SUBODH SHARMA Resident of Balarpur, P.S.-
Banka, District- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Tiwary, Adv.

For the Opposite Party/s : Mr. Akhileshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

6 06-07-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner seeks bail, who is in custody since
09.03.2022 in connection with Banka P.S. Case No.961/2021,
corresponding to G.R. No. 3277/2021, F.I.R. dated 04.12.2021,
for the offences punishable under Sections 366(A), 354(D)(ii)
and 34 of the IPC.

According to prosecution case, the petitioner is alleged
to have kidnapped her and committed rape upon her. It is also
alleged that the petitioner also upload the video on social media.

Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been
implicated in the present case. He further submits 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.

Learned Additional Public Prosecutor for the State on the other hand on the basis of material available on record and the case diary vehemently opposed the prayer for bail of the petitioner and submits that the victim was recovered and her statement under Section 164 Cr.P.C. was recorded in which she has categorically stated that the petitioner has abducted her and also committed rape upon her. The petitioner also uploaded the video on social media.

Considering the aforesaid facts, I am not inclined to enlarge the petitioner on bail in connection with Banka P.S. Case No.961/2021, corresponding to G.R. No. 3277/2021, pending in the court of Sri D. Pandey, J.M.1st Class, Banka.

Prayer is refused.

(Rajesh Kumar Verma, J)

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