

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74282 of 2022

Arising Out of PS. Case No.-14 Year-2022 Thana- MAHILA P.S District- West Champaran

RAJ KUMAR @ RAJ KAPUR @ RAJ KAPUR KUMAR Son of Vijay Raut
Resident of- Tula Ram Ghat Narkatiya, P.S.- Gopalpur, District- West
Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Kumar Giri

For the Opposite Party/s : Mr.Satyendra Prasad

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 10-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for regular bail has been filed by the petitioner in connection with Bettiah Mahila P.S. Case no. 14 of 2022 instituted for the offence punishable under Sections 376, 354(B),34 of the Indian Penal Code read with Section 4/6 of the POCSO Act.

It is a case of commission of rape by the petitioner forcefully upon the two minor victim girls.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. Both the victim girls are at the verge of majority. Prior to the date of occurrence, victims had telephonic conversation



with the petitioner and they had visited to the native village of the petitioner by themselves. Petitioner is languishing in judicial custody since 25.6.2022.

Learned APP appearing for the State has opposed the prayer of bail and submitted that statement of the victim girls were got recorded under Section 161 Cr.P.C., wherein both the victim girls were made direct allegation of rape against the petitioner. Victim girls are minor girls as per their school transfer certificate which are at page 32 and 33 of the case diary. During investigation, several witnesses have supported the prosecution story.

Having heard learned counsel for the parties and taking into consideration that there is direct allegation of committing rape against the petitioner upon both the minor girls/informants, I am not inclined to grant bail to the petitioner and, as such, his application for bail is rejected.

The trial court is directed to expedite and conclude the trial.

(Sunil Kumar Panwar, J)

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