

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 67465 of 2023

Arising Out of PS. Case No.-834 Year-2023 Thana- MUZAFFARPUR SADAR District-
Muzaffarpur

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Abhishek Kumar @ Samir Kumar S/O Vipin Singh Village Siuri Gopinathpur,
Ps- Saraiya, Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar @ S.K., Adv.

For the Opposite Party/s : Mr. Shailendra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 17-10-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Muzaffarpur Sadar P.S. Case No. 834 of 2023 dated 25.08.2023,
lodged under Sections 366(A)/ 376(3)/ 325/ 342/ 377/ 34 of the
I.P.C. read with Sections 4/ 6 of the POCSO Act & Sections 75/
79 of the Juvenile Justice Act.

3. As per the prosecution case, the F.I.R. has been
lodged against three named accused persons including the
present petitioner. The informant is victim of the actions taken
by her own mother. The petitioner is alleged to be the husband
of the victim.

4. The specific allegation of charge of rape and
sodomy has been made against the present petitioner. Anyhow,
she saved her life with the help of one person and reached at the

house of her grand-father where she filed criminal case at Ratu Police Station, Ranchi where this case has been registered as Ranchi P.S. Case No. 00 of 2023 and forwarded it to the Muzaffarpur Sadar P.S. Case No. 834 of 2023 where it is pending.

5. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel submits that the petitioner was involved with other person with whom informant left the house of the petitioner, reached Ranchi and filed criminal case against the present petitioner. Counsel also submits that the antecedent of the petitioner is clean and he is in custody since 29.08.2023.

6. Learned counsel for the State opposes the prayer for bail and submits that there is specific allegation made by the informant against the petitioner.

7. In the present facts and circumstances of this case and the submissions made above, I am not inclined to grant bail to the petitioner and, therefore, his bail petition is hereby rejected.

8. With this observation, the bail application stands rejected.

(Dr. Anshuman, J.)

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