

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72708 of 2022

Arising Out of PS. Case No.-499 Year-2022 Thana- RAJAOLI District- Nawada

Rupesh Kumar Son Of Shri Saryu Mahto R/V- Lengura, P.S- Rajauli, Dist-
Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhola Kumar

For the Opposite Party/s : Mr.Jagdhari Prasad

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 22-05-2023 Heard learned counsel for the petitioner and

learned A.P.P appearing on behalf of the State.

The petitioner is languishing in custody in a case registered for the offences punishable under Sections 341, 323, 366(A), 376, 504, 506/34 of the Indian Penal Code and Sections 4/6 of the POCSO Act.

It is alleged by the informant that on promise to marry, the petitioner established physical relationship with her and continued the same for six months and thereafter took her to Pune. It is further alleged that when she put pressure upon the petitioner to marry with her, the petitioner and other family members denied,



abused and threatened of dire consequences.

It is submitted by learned counsel for the petitioner that petitioner is innocent and he has falsely been implicated in this case. The petitioner and the victim were in love with each other and from the F.I.R itself, it appears that victim of her own went along with the petitioner without any pressure to Pune. The victim was examined by the Doctor who did not find any sexual intercourse. The petitioner is languishing in custody since 20.09.2022. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

Learned A.P.P appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner and submitted that the specific accusation of committing wrong is against the petitioner and the victim in her 164 Cr.P.C statement has also specifically alleged against the petitioner that he committed wrong with the informant without her consent.

Considering the fact that thrust of accusation is



against the petitioner, this Court is not inclined to grant bail to the petitioner.

The prayer for grant of bail to the petitioner 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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