

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73231 of 2022

Arising Out of PS. Case No.-29 Year-2022 Thana- MAHILA P.S. District- Kaimur (Bhabua)

VIKASH KUMAR S/o Rajgrihi Ram R/v- Sirbit, P.S.- Chainpur, District-
Kaimur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandra Mohan Jha, Adv.

For the Opposite Party/s : Mr. Satya Nand Shukla, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 09-05-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner seeks bail, who is in custody since
13.09.2022 in connection with Bhabua Mahila P.S. Case No.
29/2022, F.I.R. dated 06.09.2022, for the offences punishable
under Sections 366(A), 376 and 34 of the Indian Penal Code.

According to prosecution case, the petitioner is alleged
to have kidnapped the minor daughter of the informant and
committed rape upon her. It is alleged that the petitioner married
with the victim girl in a temple but left her thereafter.

Learned counsel for the petitioner submits that the
petitioner has clean antecedent and he has falsely been
implicated in the present case merely on the basis of suspicion.
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 First Information Report.

Learned Additional Public Prosecutor for the State on the other hand, on the basis of material, available in the record and the case diary, vehemently opposed the prayer for bail of the petitioner and submits that the statement of the victim was recorded under Section 164 of the Cr.P.C., in which, she has supported the allegation, as alleged in the F.I.R and victim was minor at the time of alleged occurrence.

Considering the aforesaid facts, I am not inclined to enlarge the petitioner on bail in connection with Bhabua Mahila P.S. Case No. 29/2022, pending in the court of learned A.D.J.-VI-cum-Special Judge, Kaimur at Bhabua.

Prayer is refused.

(Rajesh Kumar Verma, J)

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