

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.639 of 2023**

Arising Out of PS. Case No.-242 Year-2022 Thana- RAFIGANJ District- Aurangabad

RAHUL KUMAR @ CHATTA Son of Gopal Prasad @ Gopal Kedar @  
Gopal Ram R/V- Karmi, P.S- Rafiganj, Dist- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Karandeep Kumar,Advocate

For the Opposite Party/s : Mr.Bhanu Pratap Singh,APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA  
ORAL ORDER**

7      20-06-2023                      Heard learned counsel for the petitioner and the  
learned A.P.P. for the State.

The petitioner seeks bail, who is in custody since 08.07.2022 in connection with Rafiganj P.S. Case No. 242 of 2022, G.R.(POCSO) No.48 of 2022, F.I.R. dated 28.06.2022 registered for the offence punishable under Section 376 of IPC and Section 6 of the POCSO Act.

The prosecution case, in brief, is that the informant, Kajal Kumari, aged about 16 years was sexually assaulted on promise of marriage by the petitioner since last three years resultantly she became pregnant, thereafter the petitioner refused to marry her.

Learned counsel appearing for the petitioner submits that the petitioner has falsely been implicated in the present



case. Further submits that the allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR.

Learned APP for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner and submits that the statement of the victim under Section 164 Cr.P.C. was recorded in which she has categorically stated that the petitioner has committed rape upon her and the medical report of the victim also supports the allegation as alleged in the FIR. Further submits that the petitioner carries four more cases other than the present one.

Considering the aforesaid facts, I am not inclined to enlarge the petitioner on bail in connection with Rafiganj P.S. Case No. 242 of 2022, G.R.(POCSO) No.48 of 2022 pending in the court of learned Additional District and Sessions Judge, Special Exclusive Judge(POCSO) Aurangabad.

Prayer is refused.

**(Rajesh Kumar Verma, J)**

Nitesh/-

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