

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78879 of 2023

Arising Out of PS. Case No.-297 Year-2023 Thana- KARJA District- Muzaffarpur

Rahul Kumar S/O Hiralal Sah R/O Village- Gulam Mahammad Chak
(NIZAMUDDIN Kodariya), P.S- Karja, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nitu Kumari

For the Opposite Party/s : Mr.Ram Naresh Ray

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 12-12-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 328, 354(B), 34 of the Indian Penal Code.

3. The prosecution case is that on 26.08.2023 daughter of the went to answer nature's call in Mango orchard where petitioner along with other accused persons were present from before and they caught his daughter with bad intention and made her to drink unconscious drug. Somehow the victim girl managed to run away from there. She came home and narrated the whole story to her mother. She got unconscious thereafter she was admitted to hospital for treatment.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this



case. He submits that the statement of the victim has not been recorded under Section 164 of the Cr.P.C. He submits that the victim has not been medically examined and there is no medical report supporting the allegation against the petitioner. He further submits that petitioner has one criminal antecedent as stated in para-3 of the bail application.

5. Learned APP for the State opposes the prayer for bail submits that the charge-sheet has also been submitted against the petitioner under the POCSO Act.

6. Considering the facts and circumstances of the case and the nature of offence, I am not inclined to enlarge the petitioner on bail. Accordingly, his prayer for anticipatory bail is rejected in connection with Karja (Karza) P.S. Case No. 279 of 2023.

(Anjani Kumar Sharan, J)

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