

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5835 of 2024

Arising Out of PS. Case No.-487 Year-2023 Thana- ISLAMPUR District- Nalanda

Vikash Kumar Son Of Devendra Prasad Roy @ Devendra Prasad Resident Of
Village- Khorampur, Po- Khorampur, Ps- Islampur Distt- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K.Agrawal (Sr.Adv.) Mr. Nityanand Mishra (Adv.) Mr. Alok Abhinav (Adv.)
For the State	:	Mr.Tarun Prasad Mandal (APP)
For the Informant	:	Mr.Sudhir Kumar (Adv.)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 02-05-2024 Heard learned counsel for the parties.

2. The petitioner apprehends his arrest in a case registered for offence under Section 376 of the Indian Penal Code and Section 4 / 6 of the POCSO Act.

3. On the false promise of marriage, petitioner is alleged to have procured sexual intercourse with the victim.

4. It is submitted on behalf of petitioner that as a matter of fact when the negotiation of marriage failed, this false and concocted case has been lodged. Petitioner is bright student and preparing for competitive examination in Patna. He also used to provide coaching classes to the students. Petitioner has cleared P.T. of Junior Engineering Examination and preparing for next level of examination. It is further submitted that medical report does not support the prosecution case.



5. However, learned A.P.P. for the State and learned counsel for the informant vehemently opposes the prayer for anticipatory bail. Learned counsel for the informant submits that there is specific allegation against this petitioner that on the false promise of marriage, he established physical relation with the victim and thereafter, refused to marry her. The victim, in her statement recorded under Section 164 of Cr.P.C., has fully supported the prosecution case.

6. Considering the nature and gravity of the offence and the statement of the victim recorded under Section 164 Cr.P.C., the prayer for anticipatory bail of petitioner is rejected.

(Prabhat Kumar Singh, J)

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