

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8823 of 2024

Arising Out of PS. Case No.-283 Year-2023 Thana- SIMRI District- Buxar

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Arun Kamkar Son of Subhash Kamkar @ Subhash Singh R/o vill - Dumari,
P.S - Simari, Distt. - Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Dr. Kamal Deo Sharma, Advocate
For the State : Mr. Lalan Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

6 26-07-2024 Heard Dr. Kamal Deo Sharma, learned counsel for

the petitioner and Mr. Lalan Kumar, learned A.P.P. appearing on

behalf of the State.

2. The petitioner seeks bail, who is in custody since
21.08.2023, in connection with Simari P.S. Case No. 283 of
2023, FIR dated 18.08.2023 registered for the offence under
Section 376 (AB) of the Indian Penal Code and Section 4/21 of
the POCSO Act.

3. Allegation against the petitioner is that he has
committed rape upon the daughter of the informant who is aged
about 6 years.

4. Learned counsel appearing for the petitioner
submits that the petitioner, who is of clean antecedent, is
innocent and has falsely been implicated in this case. He further
submits that the allegation as alleged is false and fabricated and



the petitioner has not committed any offence as alleged in the FIR. The petitioner is rotting in judicial custody since 21.08.2023.

5. Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner and submitted that the statement of the victim was recorded under Section 164 Cr.P.C. in which she has categorically stated that the petitioner has committed raped upon her and the medical report of the victim also supported the allegation as alleged in the FIR apart from that on the date of occurrence the victim was only 4-6 years.

6. Considering the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail in connection with Simari P.S. Case No. 283 of 2023 pending in the Court of learned Additional Sessions Judge-VI-Cum-Special Court, POCSO Act, Buxar.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

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