

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11421 of 2024

Arising Out of PS. Case No.-109 Year-2023 Thana- MAHILA P.S. District- Lakhisarai

Akhilesh Kumar S/O Mahendra Ram R/O Village- Jitwarpur, P.S.- Korma,
District- Sheikhpura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar, Adv.

For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 22-02-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Lakhisarai Mahila P.S. Case No. 109 of 2023, lodged on
13.11.2023 under Section 376 of the Indian Penal Code read
with section 6 of the POCSO Act.

3. As per the prosecution case, the FIR has been
lodged against the sole petitioner. The allegation against the
present petitioner is that he committed rape with the victim girl
who is a juvenile.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Counsel
also submits that in the FIR, it has come that both the alleged
victim girl and the petitioner was in love and in her statement
under section 164 Cr.P.C., she has disclosed that she was in



relationship with the petitioner and she wanted to marry and subsequently, developed physical relation like husband and wife.

5. Learned counsel for the petitioner submits that the antecedent of the petitioner is clean and he is in custody since 13.11.2023.

6. Learned APP for the State opposes the prayer for bail of the petitioner and submits that POCSO Act has been added in this case.

7. In the present facts and circumstances, this Court is not inclined to grant regular bail to the petitioner.

8. Accordingly, the prayer for regular bail of the petitioner in connection with Lakhisarai Mahila P.S. Case No. 109 of 2023, pending before the learned Additional District & Sessions Judge-VI-cum-Special Judge, POCSO, Lakhisarai is **hereby rejected.**

9. Liberty is hereby granted to the petitioner that he may renew his prayer for bail one year from the date of cognizance.

(Dr. Anshuman, J.)

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