

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12533 of 2024

Arising Out of PS. Case No.-111 Year-2023 Thana- MAHILA P.S. District- Lakhisarai

Karmdeep Kumar @ Karmveer Kumar @ Dealer S/O- Devan Das R/O-
Village- Laxmipur Manikpur, P.S.- Manikpur (Surajgarha) Dist.- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Zainul Abedin, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 09-05-2024 Heard learned counsel for the petitioner and learned APP
for the State and perused the case diary.

2. The petitioner seeks bail in connection with
Lakhisarai Mahila P.S. Case No. 111 of 2023 instituted for the
offence under Sections 376 & 506 of the Indian Penal Code and
Section 6 of the POCSO Act.

3. Prosecution case in short is that petitioner has made
physical relationship with the minor victim girl aged about 16
years on several occasions on the pretext of marriage and also
made video of physical relationship.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 21-11-2023. Petitioner is a
man of clean antecedent.



5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. It is submitted that as per the educational qualification certificate, the date of birth of the victim is 05-03-2004 and she is aged about more than 19 years. It is submitted that she was in love affairs with the petitioner since 5 years. It is submitted that so far as allegation of making video is concerned, the same has not been made viral, rather only alleged that she is being threatened that video will be made viral and even during investigation allegation of video made viral is not substantiated. It is submitted that victim herself in her statement recorded under Section 164 of the Cr.P.C. has stated that there was consensual relationship with the petitioner. Referring to the medical report, it is submitted that there is no sign of rape.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. It is submitted that witnesses have supported the prosecution case, which fact finds mention in paragraph Nos. 2, 4, 9 & 10 of the case diary. It is submitted that victim has supported the prosecution version in her statement recorded under Section 164 of the Cr.P.C.

7. Considering the aforesaid facts and circumstances



of the case, there being direct allegation against the petitioner and taking into account the statement of the victim recorded under Section 164 of the Cr.P.C., this Court is not inclined to grant bail to the petitioner.

8. Accordingly, the prayer for grant of bail to the petitioner is **rejected**.

9. The Trial Court is directed to expedite the trial as expeditiously as possible without any undue delay and unnecessary adjournments.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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