

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13115 of 2024

Arising Out of PS. Case No.-95 Year-2019 Thana- NATWAR District- Rohtas

Rahul @ Rahul Singh Son Of Late Abhimanyu Singh, Resident Of Village -
Dewal, Police Station - Gamhar, District - Gazipur, U.P.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Pandey, Advocate

For the Opposite Party/s : Ms.Sangeeta Sharma, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH

ORAL ORDER

2 12-07-2024 The present petition has been filed by way of third attempt, at the behest of the petitioner, in connection with POCSO Case No.33 of 2022, arising out of Natwar P.S. Case No.95 of 2019, registered for the offences punishable under Sections 363, 365/34 of the Indian Penal Code, inasmuch as all the earlier petitions of the petitioner for grant of bail have stood rejected.

2. The case of the prosecution, in brief, is that the minor daughter of the informant was kidnapped by one Anju Devi with the sole objective of solemnizing her marriage with the petitioner, whereafter the petitioner had taken the victim girl to Kanpur and had put vermilion on her forehead as also had



forcibly engaged in wrong doings with her.

3. The learned counsel for the petitioner submits that the petitioner is languishing in custody since 01.02.2022, hence he be granted the privilege of bail.

4. *Per contra*, the learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail and has submitted by referring to the earlier order of this Court dated 12.01.2023 that the statement of the victim girl made under Section 164 CrPC before the learned Magistrate depicts that the victim girl was taken forcibly to Kanpur where the petitioner had put vermilion on her and moreover, the medical report shows that the victim girl is a minor.

5. Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into the materials available on record, this Court finds that the victim girl has specifically alleged that she was forcibly kidnapped and then the petitioner had forcibly put vermilion on her forehead and raped her, apart from the fact that the victim girl has been found to be minor, thus, the complicity of the petitioner in the alleged crime is writ large from the records, apart from the fact that there is no change in circumstance so as to warrant reconsideration of the prayer of



the petitioner for grant of bail, hence, I am not inclined to grant
bail to the petitioner, thus, the present petition stands dismissed.

(Mohit Kumar Shah, J)

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