

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22284 of 2024

Arising Out of PS. Case No.-332 Year-2023 Thana- BELDOUR District- Khagaria

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1. CHHOTAN KUMAR S/O HAGAN @ JAI KISHORE RAI R/O VILLAGE- HARIPUR, P.S- BELDAUR, DISTT.- KHAGARIA (BIHAR).
 2. SAHEB KUMAR S/O SIKANDAR KUMAR @ SIKANDAR MANDAL R/O VILLAGE- HARIPUR, P.S- BELDAUR, DISTT.- KHAGARIA (BIHAR).

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR BIHAR
2. MEENA DEVI W/O SUNIL MISTRY R/O VILLAGE- HARIPUR, WARD NO. 13, P.S- BELDAUR, DISTT.- KHAGARIA.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Chandan Kashyap
For the State	:	Mr.Shailesh Kumar
For O.P. No. 2	:	Mr.Mukesh Kumar

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

3 03-07-2024 Heard learned counsel for the petitioners as well as learned APP for the State.

2. In this case, the petitioners are seeking regular bail in connection with Beldaur P.S. Case No. 332 of 2023 registered for the offences punishable under Sections 376(D)/34 of the IPC and under Section 8/12 of the POCSO Act.

3. As per allegation, the petitioners along with other accused persons took away the daughter of the informant by a motorcycle and committed rape upon her. Further, they threw her in water, with an intention to kill her but she survived.



4. The learned counsel for the petitioner has submitted that the petitioner is a person of clean antecedent and has falsely been implicated in this case. The specific allegation to commit rape upon the victim is on co-accused Chhotu Thakur and not against the petitioners. They are under custody since 23.11.2023.

5. On the other hand, the learned APP for the State has opposed the prayer for bail and submitted that the victim in paragraph no. 3 and the witnesses in paragraph nos. 62 and 63 of the case diary have fully supported the prosecution case.

6. Considering the above-mentioned facts and circumstances, I am not inclined to grant bail to the petitioners, which is hereby rejected.

(Nawneet Kumar Pandey, J)

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