

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24179 of 2024

Arising Out of PS. Case No.-547 Year-2023 Thana- JAGDISHPUR District- Bhagalpur

Rohit Kumar S/o Binod Tanti R/o vill - Laxmipur, P.S. - Amarpur, Distt. - Banka

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Gudiya Kumari D/o Bogi Mandal R/o vill - Mahammadpur, P.S. - Jagdishpur, Distt. - Bhagalpur

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjan Kumar Jha, Adv.
For the Opposite Party/s : Mr.Pawan Kumar Chaurasia, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 18-09-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. Petitioner is apprehending his arrest in connection with Jagdishpur P.S. Case No.547 of 2023, registered for the offence punishable u/s 354, 366A, 376 of the IPC and ¾ of POCSO Act.

3. As per prosecution case, petitioner is said to have called the victim and took her to the lonely house of Subodh Kumar and committed rape upon her.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has not committed any offence. He has been falsely implicated in this case due to ulterior motive. No such occurrence in the manner as alleged has ever



taken place. The victim was medically examined by the Doctor and the Doctor opined her age in between 17 to 19 years. It is further submitted that the real fact is that the victim had love affair with the petitioner and to pressurise him to marry her, such allegation has been levelled against the petitioner. Petitioner has no criminal antecedent.

5. Learned APP for the State opposed the prayer for bail by submitting that there is specific allegation against the petitioner and the victim has supported the prosecution case in her statement recorded under section 164 Cr.P.C.

6. Considering the aforesaid facts and circumstances and the nature of allegation, I am not inclined to enlarge the petitioner on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

7. This application is accordingly dismissed.

(Anjani Kumar Sharan, J)

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