

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30488 of 2024

Arising Out of PS. Case No.-226 Year-2023 Thana- NIRMALI District- Supaul

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Ajay Kumar @ Ajay Kumar Mehta SON OF BHARAT MEHTA RESIDENT
OF VILLAGE- MAJHARI, WARD NO.08, P.S- NIRMALI, DISTRICT-
SUPAUL

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Binay Krishna, APP

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 11-09-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Nirmali P.S. Case No. 226 of 2023 dated 12.10.2023 registered for the offences punishable under Sections 341, 323, 366, 366A, 376, 504, 506 read with Section 34 of the Indian Penal Code, under Section 4 and 6 of POCSO Act and Section 3(1)(r)(s), 3(i)(vi)(i), 3(i)(w)(ii), 3(2)(va) of SC/ST Act.

3. As per the prosecution case, the petitioner and the co-accused persons are alleged to have kidnapped the minor daughter of the informant and committed rape on her, further the petitioner threatened the victim to kill.



4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the possession of the petitioner. There is general and omnibus allegation against the petitioner. Learned counsel for the petitioner has submitted that the petitioner neither kidnapped nor raped the victim. It has further submitted that the victim girl is a major lady who previously solemnized her marriage with one Sumer Singh. The petitioner has no criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 30.11.2023.

5. Learned A.P.P. for the State has opposed the bail petition of the petitioner and submitted that the victim in her statement recorded under Section 164 of the Cr. P.C. has supported the prosecution case. Moreover, the victim was examined as P.W.1 who stated that she was raped by the petitioner for three days.

6. Considering the aforesaid facts and circumstances of the case as well as the heinous nature of allegation against the petitioner, this court is not inclined to grant bail to the petitioner and the same is rejected in connection with Nirmali P.S. Case No. 226 of 2023, pending in the Court of learned Additional District and Sessions Judge-VI-cum-Special Judge Exclusive POCSO Court, Supaul.



7. The application stands rejected.

(Chandra Prakash Singh, J)

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