

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31343 of 2024

Arising Out of PS. Case No.-490 Year-2023 Thana- KHAIRA District- Saran

Rajan Kumar son of Ramji Singh @ Ramji Resident of Village- Koreyan @
Koreya, P.S.- Khaira, Dist.- Saran

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dr. Rajesh Kumar Singh, Adv.

For the Opposite Party/s : Mr.Chandra Sen Prasad Singh, APP

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

ORAL ORDER

2 01-05-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Khaira P.S. Case No. 490 of 2023 dated 24.12.2023 registered for the offence/s punishable u/s 376D, A of the Indian Penal Code, sections 4 and 6 of the POCSO Act and section 67 of the I.T. Act.

3. As per the prosecution case, the petitioner and the co-accused persons are alleged to have committed rape on the informant's grand daughter and made a video of it and threatened to make the same viral.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in



this case. It is further alleged that there is contradiction in the statement of the victim. There is no specific allegation or any overt act against the petitioner. There was love affair between the victim and one co-accused Mitilesh Kumar. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 24.02.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner and submitted that the victim has supported the facts in her statement recorded u/ss 161 and 164 of the Cr. P.C. It is further submitted that medical board assessed the age of the victim as 18 years. It is further submitted that the medical board suggests that there is strong evidence of intercourse with the victim within 5 to seven days.

6. Considering the aforesaid facts and circumstances of the case as well as the heinous nature of allegation against the petitioner , I am not inclined to enlarge the petitioner on bail.

7. Learned Trial Court is directed to expedite the trial and conclude the same preferably at the earliest.

8. The application stands rejected.

(Chandra Prakash Singh, J)

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