

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39472 of 2024

Arising Out of PS. Case No.-21 Year-2024 Thana- GURUA District- Gaya

Deepak Kumar @ Deepak Chaudhary Son of Sadhu Chaudhary Resident of
Village - Nawadiha, PS - Gurua, District - Gaya

... .. Petitioner/s

Versus

1. The State of Bihar
2. Miss X D/O- Jugesh Rikiyasan, R/O- Vill.- Naudiha, Panchayat-Nagma,
P.S.- Gurua, Dist.-Gaya

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Sukriti Kumari, Advocate

For the Opposite Party/s : Mr. Rana Randhir Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 18-09-2024 Heard Ms. Sukriti Kumari, learned counsel for the

petitioner and Mr. Rana Randhir Singh, learned A.P.P. for the

State.

2. The petitioner seeks bail, who is in custody since
30.01.2024 in connection with Gurua P.S. Case No. 21 of 2024
F.I.R. dated 20.01.2024 registered for the offence punishable
under Section 376 of the Indian Penal Code under Section 4,6 of
the POCSO Act 2012.

3. Allegation against the petitioner is that he
committed rape with the minor victim girl repeatedly and he
also prepared video of the illicit act and also viral it.

4. Learned counsel appearing for the petitioner



submits that the petitioner has clean antecedent. He has falsely been implicated in the present case. The allegation as alleged in the FIR is false and fabricated and petitioner has not committed any offence as alleged in the FIR.

5. Learned APP for the State, on the other hand, on the basis of the material available on record and the case diary, has vehemently opposed the prayer for bail of the petitioner and submits that from a bare perusal of the FIR it appears that the petitioner has established physical relation with the victim and he also used to record videos from his mobile at the time of establishing physical relation with the victim and apart from that, the statement of the victim was recorded under Section 164 Cr.P.C. in which she has categorically stated that the petitioner has committed rape upon her and medical report of the victim also suggests that the hymen of the victim was found to be ruptured which suggests that the allegation as alleged in the FIR is true.

6. Considering the aforesaid facts and the allegation as alleged in the FIR is supported by the medical evidence and also supported by the statement of the victim under Section 164 Cr.P.C., I am not inclined to enlarge the petitioner on bail in connection with Gurua P.S. Case No. 21 of 2024 pending in the



court of learned Exclusive Special Judge cum ADJ -VIIth,
Gaya/successor court.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

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