

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36795 of 2024

Arising Out of PS. Case No.-652 Year-2023 Thana- WAJIRGANJ District- Gaya

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Suman Kumar @ Shivam Kumar son of Basudev Prasad Village- Tarwan Ps-
Wazirganj Dist-Gaya

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bandana Singh

For the Opposite Party/s : Mr.Choubey Jawahar

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 26-06-2024 Heard the parties.

2. The petitioner apprehend his arrest in a case registered for the offence punishable under Sections 376, 34 of the Indian Penal Code and Section 4 of POCSO Act.

3. As per the FIR, co-accused Rahul Kumar committed rape upon the daughter of the informant and when her daughter raised voice, the petitioner threatened her.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He submits that love affair was going on between the victim and the co-accused Rahul Kumar. He further submits that the specific allegation is against Rahul Kumar and there is no



specific overt act against the petitioner. Petitioner has no criminal antecedent.

5. Learned APP for the State opposed the prayer for anticipatory bail by submitting that the victim is a minor and petitioner was also present on the place of occurrence.

6. Having regard to the facts and circumstances of the case as well as considering the nature of offence, I am not inclined to enlarge the petitioner on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

7. Accordingly, this application is dismissed.

(Anjani Kumar Sharan, J)

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