

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48500 of 2024

Arising Out of PS. Case No.-277 Year-2022 Thana- JAYNAGAR District- Madhubani

Pappu Kumar Yadav S/O Sanjay Yadav Resident Of Village Kamlabari Dhauli
Tole, P.S.- Jaynagar, Dist- Madhubani

... .. Petitioner

Versus

1. The State Of Bihar
2. Rekha Kumari D/O Bhushan Yadav Resident Of Village Kamlabari Dhauli
Tole, P.S.- Jaynagar, Dist- Madhubani

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Bhavesh Kumar Sah, Advocate
For the Opposite Party/s	:	Mr.Ram Priya Sharan Singh, APP
For the Informant	:	Mr. Akshay Ashish, Advocate

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 18-09-2024 Heard learned counsel for the petitioner, learned

APP for the State and learned counsel for the informant.

Perused the case diary.

2. The petitioner seeks bail in Jaynagar P.S. case
No. 277 of 2022 instituted for the offences under Sections
376, 506 of the Indian Penal Code and Sections 3 and 4 of
POCSO Act.

3. Prosecution allegation, in short, is that on the
pretext of marriage, the petitioner established physical
relation with the minor victim due to which she became
pregnant and later the petitioner refused to marry with her.



4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case due to village politics. Charge-sheet has been submitted in this case. In the entire F.I.R., no date of occurrence has been mentioned. Inconsistent statements have been made by the victim under Section 161 of the Cr.P.C. and under Section 164 of Cr.P.C. Learned counsel for the petitioner further submits that the father of the victim wanted to marry his daughter with the petitioner but the family of the petitioner refused to the same. Learned counsel for the petitioner further submits that the relationship was consensual one. The petitioner is in custody since 14.04.2024 has no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. Learned APP submits that in both the statements made under Sections 161 of Cr.P.C. and 164 of the Cr.P.C., recorded in paragraphs 12 and 40 of the case diary respectively, the victim has supported the allegation made in the F.I.R. The medical report, which also affirms pregnancy of the victim, mentioned in paragraph No. 67 of the case



diary, also corroborates with the allegation made in the F.I.R.

6. Considering the nature of accusation, gravity of offence, charge-sheet being submitted under the POCSO Act as also the fact that medical report of the victim fully corroborates with the allegation made in the F.I.R., this Court is not inclined to grant bail to the petitioner.

7. The prayer is rejected.

(Rudra Prakash Mishra, J)

Pankaj/-

U		T	
---	--	---	--

