

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49799 of 2024

Arising Out of PS. Case No.-130 Year-2023 Thana- KURTHA District- Jehanabad

Deepak Kumar Son of Harendra Singh R/O Vill./Mohalla- Dhamaul, P.S.-
Kurtha, P.o. Ibhrhimpur, Dist.- Arwal, Bihar- 804419

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Ms. Kirti Mathur, Advocate
	:	Mr. Yash Mathur, Advocate
For the State	:	Mr. Anish Chandra, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 06-09-2024 Heard Ms. Kirti Mathur, learned counsel for the
petitioner and Mr. Anish Chandra, learned counsel for the State.

2. The petitioner seeks bail, who is in custody since 07.06.2023, in connection with Kurtha P.S. Case No. 130 of 2023, FIR dated 28.04.2023 registered for the offence under Sections 341, 504, 506 and 376 of the Indian Penal Code and Section 4 of the Protection of Children from Sexual Offences Act, 2012.

3. As per the prosecution case, when the minor daughter of the informant was going to ease herself in the field. In the meantime, the petitioner gagged her mouth and took her to the maize field nearby and threw her on the ground and ravished her.

4. Learned counsel appearing for the petitioner submits that the petitioner, who is of clean antecedent, is innocent and he has falsely been implicated in this case due to political rivalry. He further submits that the allegation as alleged in the FIR



is false and fabricated and the petitioner has not committed any offence as alleged in the FIR. He further submits that the victim girl was medically examined but no sign of sexual assault has been found. The petitioner is rotting in judicial custody since 07.06.2023.

5. Learned A.P.P. for the State, on the other hand, on the basis of the material available on the record of the case diary has vehemently opposed the prayer for bail of the petitioner and submits that there is direct and specific allegation against the petitioner and apart from that the victim girl is mentally disabled and medical report also supports the allegation as alleged in the FIR and the medical report suggests that the hymen layer is ruptured.

6. Considering the aforesaid facts, I am not inclined to enlarge the petitioner on bail in connection with Kurtha P.S. Case No. 130 of 2023 pending in the court of learned Additional District and Sessions Judge VI-cum Special Judge POCSO Court, Jehanabad.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

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