

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51272 of 2024**

Arising Out of PS. Case No.-30 Year-2024 Thana- KALYANPUR District- Samastipur

Raju Singh Son of Amarjeet Singh @ Hawal Singh R/o Village- Bazidpur,
P.S.- Karpurigram, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjan Kumar, Advocate
For the Opposite Party/s : Mr.Jai Narain Thakur, APP
For the Informant : Mr. Bijay Bhushan Prasad, Advocate

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 25-09-2024 Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel appearing on behalf of
the informant.

02. In the present case, the petitioner is apprehending
his arrest in connection with Kalyanpur P.S. Case No. 30 of
2024, registered 28.01.2024, for the alleged offence under
Sections 366(A) and 376 of the Indian Penal Code and Sections
3, 4 and 8 of the POCSO Act.

03. As per prosecution case, the minor daughter of the
informant was kidnapped by the co-accused persons. Name of



the petitioner transpired during investigation for being involved in the matter and for committing rape with the minor girl.

04. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case. From the statement of the victim girl, it is apparent that the victim girl left her house on her own and went with co-accused but the petitioner did not take any part in the occurrence and did not commit rape with the victim. As the petitioner is relative of the co-accused Vinay Kumar and as he intervene in the matter on his behalf, being aggrieved with him, the victim false implicated in her statement recorded under Section 164 of the Cr.P.C. The petitioner has no criminal antecedent.

05. Learned A.P.P. for the State and the informant vehemently opposes the prayer for anticipatory bail of the petitioner.

06. Learned counsel for the informant submits that the victim girl in her statement recorded under Section 164 of the Cr.P.C. has specifically named this petitioner who committed rape with her when the co-accused left the victim girl at the house of the petitioner and getting the opportunity, the victim girl ran away from the house of the petitioner.

07. In the light of serious allegation made against this



petitioner, I am not inclined to extend him the privilege of bail
to the petitioner which is accordingly rejected.

(Arun Kumar Jha, J)

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