

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65399 of 2024

Arising Out of PS. Case No.-212 Year-2024 Thana- BAIRIYA District- West Champaran

Ravishankar Kumar @ Ravishankar Mahto Kharwar Son of Late Suresh Mahto @ Late Suresh Mahto Kharwar Resident of Village - Balua Rampurwa, Ward No.15, P.S. - Bairiya, District - West Champaran

... .. Petitioner/s

Versus

1. The State of
2. Mangar Mahto Son of Late Ramadhar Mahto Resident of Village - Balua Rampurwa, Ward No.15, P.S. - Bairiya, District - West Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gaurav Prakash, Adv.

For the Opposite Party/s : Mr. Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 01-10-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Bairiya P.S. Case No. 212 of 2024 dated 15.06.2024 registered for the offences punishable under Sections 376 and 506 of the Indian Penal Code and Sections 6 and 8 of the POCSO Act.

3. As per the prosecution case, the petitioner had been abusing sexually the informant's minor daughter on the pretext of marriage for six years. When the informant told the petitioner to marry her daughter, he negated and also abused the informant's daughter. Thereafter, on 14.06.2024 at night, the petitioner entered the informant's house and he again tried to abuse sexually to her



minor daughter and on hulla he fled away.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the possession of the petitioner. There was love affairs between the petitioner and the victim. The petitioner has no concern with the alleged offence. The petitioner has no criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 16.06.2024.

5. Learned A.P.P. for the State has opposed the bail petition of the petitioner and submitted that the victim is 17 years old and she is a minor girl. The victim was being sexually assaulted by the petitioner for six years.

6. Considering the aforesaid facts and circumstances of the case as well as the heinous nature of offence against the petitioner, this court is not inclined to grant bail to the petitioner and the same is rejected in connection with Bairiya P.S. Case No. 212 of 2024, pending in the Court of leaned Additional District Judge-VII-cum- Special Judge(POCSO), West Champaran.

7. The application stands rejected.

(Chandra Prakash Singh, J)

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