

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68220 of 2024

Arising Out of PS. Case No.-425 Year-2023 Thana- KATORIYA District- Banka

Rupam Kumar @ Rupam Kumar Modi S/O Surya Narayan Modi R/O
Village- Katoria, P.S.- Katoria, District- Banka.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Manoj Kumar Gupta S/O Chandrika Prasad R/O Village- Katoriya, P.S-
Katoriya, Distt.- Banka.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Devika Rani, Advocate

For the Opposite Party/s : Mr. Satyendra Prasad

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 05-10-2024 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner seeks bail in a case registered for the
offences punishable under Sections 376/34 of the Indian Penal
Code and Section 4 of the POCSO Act.

3. Learned counsel for the petitioner submits that the
petitioner is in custody since 16.08.2024, with clean antecedent.
It is next submitted that the informant alleges that Ankur Kumar
Keshri (henceforth, Ankur) had enticed his daughter and she fell
in love with him and thereafter, Ankur exploited her physically
in many attempts. Further, on 18.12. 2023 at 1:30 PM, Ankur
again called his daughter and took her to a garden in a *beloni*



and started establishing physical relation with her in a room. When the villagers gathered, the petitioner locked the door from outside and fled away. Thereafter, the villagers informed the informant and he accordingly came to the place of occurrence and brought his minor daughter.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the instant case by the informant. It is next submitted that from perusal of the allegation as alleged in the F.I.R., it would manifest that first of the allegation is against him. It is next submitted that no doubt that the petitioner is alleged to have locked the room from outside, but then, it is submitted that the same was done with a view to save Ankur and the victim from the wrath of the villagers. It is also submitted that the petitioner did not support Ankur and the victim in the occurrence or else he would have helped them in escaping from the room where it is alleged that they were establishing physical relation.

5. Learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

6. Considering the submission made by learned counsel for the petitioner, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten



Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Katoriya P.S. Case No. 425 of 2023.

(Satyavrat Verma, J)

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