

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80956 of 2023

Arising Out of PS. Case No.-212 Year-2023 Thana- AMAUR District- Purnia

=====

Jittu Rishi @ Jittu Kumar Rishi Son Of Kulesh Rishi Resident Of Village -
Machhata, Rishidev Tola, P.S. - Amour, District - Purnia

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Jha, Advocate

For the Opposite Party/s : Mr. Md. Matloob Rab, APP

=====

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 10-01-2024 Heard Mr. Manoj Kumar Jha, learned counsel for the
petitioner and Mr. Md. Matloob Rab, learned APP for the State.

2. The petitioner is apprehending his arrest connection with Amour P.S. Case No. 212 of 2023, F.I.R. dated 29.06.2023 registered for the offences punishable under Sections 363, 366, 376, 120B of the Indian Penal Code and Sections 3/4 of the POCSO Act.

3. Allegation against the petitioner is that he along with other co-accused persons have committed rape upon the victim.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has been falsely implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the



petitioner has not committed any offence as alleged in the F.I.R. and in fact on the date of occurrence the petitioner was participating in the examination at Purnia.

5. Learned APP for the State, on the other hand, on the basis of material available on record and the case diary, vehemently opposed the prayer for bail and submits that the statement of the victim girl was recorded under Section 164 of the Cr. P.C. in which she has categorically stated that the petitioner and other co-accused persons have committed rape upon her and the medical examination of the victim suggests that she was pregnant at the time of medical examination.

6. Considering the aforesaid facts that there is direct allegation against the petitioner, I am not inclined to grant the privilege of anticipatory bail to the petitioner in connection with Amour P.S. Case No. 212 of 2023 pending in the Court of Additional Sessions Judge-VIIth-cum-Special Judge (POCSO), Purnia.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

Ibrar//-

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

