

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83739 of 2023

Arising Out of PS. Case No.-587 Year-2023 Thana- KHAJANCHI HAT District- Purnia

RAJ KUMAR MANDAL @ RAJ KUMAR S/O UPENDRA MANDAL
RESIDENT OF VILLAGE RAMPUR TILAK, P.S.- JANKINGAR,
DISTRICT- PURNEA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shambhu Sharan Singh
For the Opposite Party/s : Mr.Jitendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 21-03-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
K. Hat P.S. Case No. 587 of 2023 registered on 13.05.2023
lodged under Sections 376(AB)/511 of the I.P.C. and Section 10
of the POCSO Act, Purnea.

3. As per the prosecution case, F.I.R. has been lodged
against the present petitioner to whom there is an allegation that
he has committed rape upon the daughter of the informant.

4. Counsel further submits that petitioner is innocent
and has committed no offence. He submits that he is basically
the victim in the present case due to the reason that informant is
involved in networking business and petitioner is subordinate of



the informant due to which huge commission was pending with the informant and the informant was not ready to pay the said commission which was repeatedly demanded by the petitioner and with a view to teach him a lesson, she had lodged this case against the petitioner. He further submits that petitioner is in custody since 14.05.2023 having one criminal case pending against him, in which he is on bail.

5. Learned counsel for the State opposes the prayer for bail and submits that case diary has been called for and statement under Section 164 of Cr.P.C. has also been received. After perusal of the statement, it transpires that the victim has completely supported the allegation of rape upon her as well as she has narrated the modus operandi of the work of the petitioner particularly when entire family members were out for some work and this alleged crime was committed. It also transpires from the records that antecedent of the petitioner is under the same section in which it has been filed in the present case.

6. In the present facts and circumstances of this case and the submissions made above, this Court is not inclined to enlarge the petitioner on bail. However, liberty is hereby granted to the petitioner that he may renew his prayer for bail one year



after the date of his cognizance.

7. Accordingly, the bail application of the petitioner is
hereby rejected.

(Dr. Anshuman, J)

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