

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82660 of 2023

Arising Out of PS. Case No.-62 Year-2023 Thana- BALIGAON District- Vaishali

Niraj Kumar Son Of Lakhindra Paswan R/O Village- Khoajpur, P.S.-
Baligaon, District- Vaishali

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shivjee Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 07-03-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Baligaon P.S. Case No. 62/2023, lodged on 02.06.2023 under
Sections 376D, 328/34 of the Indian Penal Code and Section 6
of The Protection of Children from Sexual Offences Act, 2012.

3. As per the prosecution case, the present FIR has
been lodged against the five named accused persons including
the petitioner alleging therein that they have committed rape
upon the minor granddaughter of the informant.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. The
petitioner is in custody since 02.06.2023 having a clean
antecedent and the charge has already been framed. Learned



counsel for the petitioner further submits that the case diary as well as the progress of the trial has been called for.

5. Learned counsel for the State opposes the prayer for bail and submits that the case diary along with the statement of the victim girl under Section 164 of the Cr. P.C. has come. In 164 Cr. P.C. statement the victim has categorically named the present petitioner along with others in the commission of the said crime.

6. Considering the nature of the allegation, I am not inclined to grant regular bail to the petitioner.

7. Accordingly, the prayer for regular bail of the petitioner in connection with Baligaon P.S. Case No. 62/2023, pending before the learned Additional Sessions Judge -VI-cum-Special Judge, POCSO Act, Vaishali at Hajipur is hereby rejected.

(Dr. Anshuman, J)

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