

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84940 of 2023

Arising Out of PS. Case No.-617 Year-2023 Thana- MOTIHARI MUFASIL District- East
Champaran

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Raja Kumar @ Raja Babu S/O Dev Kumar Prasad @ Dev Prasad R/O
Village- Dekahan Kunjan Tola, P.S- Muffasil, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate

For the Opposite Party/s : Mr. Sangeeta Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 18-01-2024 Heard Mr. Abhishek Kumar, learned counsel for the
petitioner and Ms. Sangeeta Sharma, learned APP for the State.

2. The petitioner is apprehending his arrest in connection with Muffasil P.S. Case No. 617 of 2023, F.I.R. dated 26.08.2023 for the offences punishable under Sections 363, 366(A) and 34 of the Indian Penal Code and Section 8 of the POCSO Act.

3. According to prosecution case, all the accused persons including the petitioner kidnapped the daughter of the informant with intention to marry and also took away cash and ornaments.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been 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 offences as alleged in the F.I.R.

5. The learned Additional Public Prosecutor, on the other hand, has vehemently opposed the prayer for bail of the petitioner and submits that the statement of the victim was recorded under Section 164 Cr.P.C. in which she stated that the petitioner has abducted her and thereafter committed rape upon her and on the date of occurrence the victim was minor.

6. Considering the allegation as alleged in the F.I.R and the material available on record, I am not inclined to grant the privilege of anticipatory bail to the petitioner in connection with Muffasil P.S. Case No. 617 of 2023, pending in the court of learned 6th Additional Sessions Judge-Cum-Special Judge, POCSO Act, East Champaran, Motihari.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

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