

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84714 of 2023

Arising Out of PS. Case No.-399 Year-2023 Thana- RAJAON District- Banka

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Gopal Choudhary S/O Parmod Choudhary R/O Village- Bela, P.S- Rajoun,
Distt.- Banka.

... .. Petitioner/S

Versus

1. The State Of Bihar
2. Mala Devi W/O Bipin Paswan R/O Village- Bela, P.S- Rajoun, Distt.-
Banka.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md.Najmul Hodda, Adv.

For the Opposite Party/s : Mr. Nirmal Kumar Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 10-01-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Rajoun P.S. Case No. 399 of 2023 lodged under Sections
366A/34 of the I.P.C. and subsequently added section 376 of
I.P.C. read with Section 4 of the POCSO Act.

3. As per the prosecution case, there is allegation that
the accused persons in connivance with each other have
kidnapped the daughter of the informant on the basis of which
F.I.R. has been lodged.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He submits



that name of the petitioner has figured in this case unnecessarily.
He further submits that direct allegation of kidnapping is against
one Suraj Rai.

5. Counsel for the petitioner submits that petitioner is
in custody since 26.09.2023 having clean antecedent.

6. Learned counsel for the State opposes the prayer
for bail and submits that the alleged victim has been recovered
and narrated her statement before the Magistrate under Section
164 of Cr.P.C. and the said statement has been acknowledged in
the rejection order passed by the learned Addl. Sessions Judge,
Banka.

7. Upon perusal of statement under Section 164 of the
Cr.P.C., the said victim has made direct allegation against the
petitioner of commission of crime of rape with her.

8. In the present facts and circumstances of this case
and the submissions made above, this Court is not inclined to
grant bail to the petitioner. Therefore, the bail application of the
petitioner is hereby rejected.

(Dr. Anshuman, J.)

Prakashmani/-

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