

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.383 of 2024

Arising Out of PS. Case No.-186 Year-2023 Thana- SURYAPURA District- Rohtas

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AVINASH KUMAR @ ABHINASH KUMAR @ VIKASH KUMAR S/O
HARENDRA SINGH @ HARENDRA RAWANI @ HARENDRA KUMAR
SINGH R/O VILLAGE AND P.O- NONAHAR, P.S- SURYAPURA, DISTT.-
ROHTAS.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Nagendra Upadhyay

For the Opposite Party/s : Mr.Binay Krishna

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 31-01-2024 Heard learned counsel for the petitioner as well as learned
APP for the State.

2. The petitioner apprehends his arrest in connection with
Suryapura P.S. Case No. 186 of 2023, registered for the offences
punishable under Sections 341, 323, 354(B), 504, 506 of the Indian
Penal Code and under Section 8 of POCSO Act and under Section 8
of POCSO Act and under section 3(1) (h) (4) of SC/ST Act.

3. As per allegation, on 05.09.2023 at about 2.50 PM, the
victim was coming to her house after cutting the grass, then Vikash
Kumar came and tried to tease her. It is further alleged that when the
victim objected, the accused started hurling abuses and also assaulted
her due to which she became unconscious. When the victim gained
conscious, she found that her clothes were torn.



4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated. He has further submitted that the actual fact is that the victim harvested paddy plants from the field of petitioner’s maternal grandfather for which the petitioner warned her and due to this reason, she lodged this false case.

5. Learned APP has opposed the prayer for bail of the petitioner.

6. The victim, in her statement, recorded under Section 164 Cr.P.C. has supported the prosecution case. She was a minor girl at the time of occurrence, as per her marksheet issued from Bihar School Examination Board.

7. Considering the above-mentioned facts and circumstances, I do not think it to be a fit case for anticipatory bail. Accordingly, it is rejected.

(Nawneet Kumar Pandey, J)

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