

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3824 of 2024

Arising Out of PS. Case No.-365 Year-2023 Thana- RAJPUR District- Buxar

1. Banti Kumar @ Ranjeet Rajbhar Son of Ishwar Chand Rajbhar Resident of Village-Dehari, PS-Rajpur District Buxar
2. Dhanjee Rajbhar Son of Luxami Rajbhar @ Laxmi Bhar Resident of Village-Dehari PS-Rajpur District-Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar Roy
For the Opposite Party/s : Mr.Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

4 09-04-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seeks bail in connection with Rajpur P.S. Case No. 365 of 2023 registered for the offence under Section 363, 366A of the Indian Penal Code and 12 of the POCSO Act.

3. As per the prosecution case, the petitioners are alleged to have raped the victim girl.

4. The victim girl has supported the allegations levelled against the petitioners in her statement made under Section 164 of the Cr.P.C.

5. Ms. Soni Srivastava, learned Advocate for the petitioners have vehemently argued this case on their behalf and has submitted that there is a difference between the statement of the victim girl recorded under Section 161 of the Cr.P.C. and under Section 164 of the Cr.P.C. She also submits that in the



medical report, no injury has been found on the victim girl and the petitioners are falsely implicated in this case due to admitted dispute between the parties and some independent witnesses have tried to save the petitioners.

6. Learned counsel for the informant and learned APP for the State has opposed the prayer of the petitioners and they have submitted that in such a serious offence when the victim has supported the allegations then this Court may not travel beyond the same.

7. Considering the aforesaid facts, this Court is not inclined to grant bail to the petitioner.

8. Accordingly, this application is dismissed.

9. The Court below is directed to expedite the trial of the petitioner and conclude the same at the earliest.

10. The petitioners may renew their prayer for bail after the deposition of the victim girl is recorded.

(Sandeep Kumar, J)

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