

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43224 of 2024

Arising Out of PS. Case No.-64 Year-2023 Thana- MAHILA P.S. District- Samastipur

Aniket Kumar S/o Anil Kumar Ray R/o vill - Bishanpur Abhi PS - Khanpur,
Distt. - Samastipur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Manju Devi W/o Manoj Mahto R/o vill - Bishanpur Abhi, ward no. 11, P.S. -
Khanpur, Distt. - Samastipur

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rabindra Kumar Priyadarshi, Advocate
For the Opposite Party/s : Mr. Narendra Kumar Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

7 29-01-2025 Heard learned counsel for the petitioner, learned
APP for the State and perused the case diary.

2. The petitioner seeks bail in connection with Samastipur Mahila P.S. Case No. 64 of 2023, instituted for the offences punishable under Sections 363-A, 376, 341, 323, 504, 506, 34 of the Indian Penal Code and Section 4 of POCSO Act.

3. The prosecution case, in short, is that, on the pretext of marriage, the petitioner committed rape upon minor daughter of the informant continuously for four days and also made a video of the same.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Charge-sheet has been submitted as well as charge



has also been framed in this case. Learned counsel for the petitioner also submits that there is inordinate delay of one month in lodging the FIR. On perusal of the medical report of the victim, it transpires that there is no sign of sexual assault at the time of examination and so far as the medical team assessed the age of the victim as more than 18 years. The petitioner is in custody since 10.03.2024 and has got no criminal antecedent.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner and submitted that the victim in her statement of recorded under Section 161 Cr.P.C. and under Section 164 Cr.P.C. has specifically named the petitioner for kidnapping her and committing rape upon her. It is further submitted that there is specific allegation against the petitioner. Hence, the petitioner does not deserve the privilege of bail.

6. Considering the aforesaid facts and circumstances of the case, nature of accusation and the gravity of the offence, this Court is not inclined to grant bail to the petitioner.

7. The prayer is rejected. The trial Court is directed to expedite the Trial expeditiously.

(Rudra Prakash Mishra, J)

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