

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.70531 of 2024

Arising Out of PS. Case No.-91 Year-2023 Thana- MAHILA PS District- Jamui

Siya Ram Ram Son of Surendra Ram Resident of Suggi, P.S. - Jamui, District - Jamui

... .. Petitioner/s

Versus

1. The State of Bihar
2. Aarti Devi Wife of Rajendra Ram Resident of Suggi, P.S. - Jamui, District - Jamui

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Rajiv Nayan, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 18-01-2025 1. Heard learned counsel for the petitioner as well as learned APP for the State.

2. The petitioner seeks bail in a case registered for the offences punishable under Sections 376, 341, 323, 504, 506/34 of the IPC and 4/6 of POCSO Act in connection with Jamui (Mahila) P.S. Case No.91 of 2023.

3. The learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and has been falsely implicated in the instant case by the informant as informant was opposing his friendship with the daughter of the



informant i.e. the victim.

4. It is next submitted that the informant alleges that on 04.12.2023 at about 11 P.M. his daughter aged about 16 years had gone to the field and when she reached near the house of the petitioner, the petitioner asked her to come to his house on the pretext that his *Bhabhi* was calling, thereafter, the victim went to the house of the petitioner where it is alleged that *Bhabhi* of the petitioner closed the door and this petitioner committed rape.

5. The learned counsel for the petitioner submits that no such occurrence took place and it absolutely does not stand to reason that as to why the *Bhabhi* of the petitioner would have closed the door permitting the petitioner to commit rape.

6. It is next submitted that the FIR has been instituted after a delay of eight days and no medical examination has been conducted and is in custody since 02.07.2024.

7. The learned APP for the State opposes the bail application and submits that from perusal of the order impugned it would manifest that the statement of the victim was recorded under Section 164 Cr.P.C. wherein she has supported the case of the prosecution and has stated that petitioner established physical relation.

8. After hearing the learned APP the Court for the



present is not inclined to release the petitioner on bail,
accordingly, the regular bail application is rejected.

(Satyavrat Verma, J)

Prakash Narayan

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