

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74007 of 2024

Arising Out of PS. Case No.-202 Year-2024 Thana- RAJAON District- Banka

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Guddu Bhagat Son of Pradeep Bhagat R/o Village- Karsani, PS- Rajoun,
District- Banka

... .. Petitioner/s

Versus

1. The State of Bihar Patna
2. Rimjhim Kumari D/O- Mithlesh Bhagat R/O- Karsani, P.S.- Rajoun, Distt.-
Banka

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vibhakar Kumar, Adv.
For the Opposite Party/s : Mr. Vinod Shanker Modi, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 24-01-2025 Heard the parties.

2. The petitioner is in custody in connection with
Rajoun P.S. Case No. 202 of 2024 for the offence punishable
under sections 376 and 34 of the Indian Penal Code and Section
4 of the POCSO Act lodged on 15.04.2024 by the informant,

3. As per the prosecution story, the informant alleged
that both her cousin brother as also her father raped her, she
became pregnant. The child was sold by Sarita Devi. Fed up
with the said repeated incident, FIR was lodged.

4. In this case, the case diary and the statement of the
victim girl under Section 164 of the Cr.P.C was called for which
is on record. The fifteen years old girl has narrated her ordeal
and has supported the prosecution story stating that this



petitioner repeatedly raped her, the father upon information did not lodge FIR and only beat the accused and later also started raping her. She became pregnant and later delivered child which was sold by Sarita Devi.

5. Learned counsel for the petitioner submits that allegation of rape is also against the father and as such, there is suspicion on the statement made by her.

6. Learned APP has taken this Court to the 164 Cr.P.C wherein she has clearly stated that this petitioner continuously raped her and the child which was sold by Sarita Devi was also from this petitioner.

7. Considering the allegation that has come against this petitioner, for the present, this Court is not inclined to extend him the privilege of bail which is accordingly, rejected.

(Rajiv Roy, J)

Vijay Singh/-

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