

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.67833 of 2024**

Arising Out of PS. Case No.-182 Year-2024 Thana- VAISHALI District- Vaishali

Vivek Kumar, S/O Pawan Singh, Resident of Village- Manora, Bibipur, Police Station- Vaishali (Belsar O.P.), Distt.- Vaishali.

... .. Petitioner/s

Versus

1. The Sate of Bihar
2. Ramita Devi, W/O Guddu Singh, R/O Village- Manora, P.S- Vaishali (Belsar O.P.), Distt.- Vaishali.

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Ranjeet Kumar, Advocate  
For the Opposite Party/s : Mr.Nityanand, APP

**CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY**  
**ORAL ORDER**

4      16-01-2025                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner has prayed for bail in connection with Vaishali (Belsar O.P.) P.S. Case No. 182 of 2024 instituted for the offence under Sections 341, 323, 376, 506 and 34 of the Indian Penal Code and Sections 8/12 of the POCSO Act.

3. The case of the prosecution is that on the date of occurrence, the daughter of the informant aged about 15 years along with her friend Puja Kumari have gone to the house of Rajendra Bhagat for having meals. Both were returning back at 7.30 P.M. As they reached near the leechi orchard, at that



time petitioner along with others caught the daughter of the informant and her friend. The friend of the informant's daughter managed to escape. It is further alleged that the petitioner along with two others committed rape with the informant's daughter due to which bleeding started. It is further alleged that the accused persons have also made video of the act.

4. It is submitted by learned counsel for the petitioner that petitioner is innocent and has committed no offence. He has been falsely implicated in the present case. It is further submitted that from perusal of the injury report, it will transpire that doctor has opined that no recent sexual assault done. A statement has been made in para-3 of the petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 26.05.2024.

5. Learned APP appearing for the state has opposed the prayer of regular bail and submitted that during course of investigation, the victim has given her statement under Section 161 of the Cr.P.C. and she has supported the case of the prosecution. She has specifically stated that the petitioner along with others committed rape with her.



6. Having heard the learned counsel for the parties and considering the nature of allegation, this court is not inclined to enlarge the petitioner on bail at this stage and, as such, his prayer for bail stands rejected.

7. Petitioner will be at liberty to renew his prayer for bail after six months, if so advised.

**(Ashok Kumar Pandey, J)**

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