

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82784 of 2024

Arising Out of PS. Case No.-412 Year-2024 Thana- MASHRAK District- Saran

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Jitesh Kumar @ Jitesh Ray @ Gelha S/o- Udesb Prasad @ Udesb Ray
Village- Hanumanganj PS-Mashrakh Dist- Saran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Anu Kumari D/o- Sujit Ram Village- Hanumanganj PS-Mashrakh Dist- Saran

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Akash Ambuj, Adv.

For the Opposite Party/s : Mr. Binay Krishna, Spl. PP

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 30-01-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in connection with Mashrakh P.S. Case No. 412 of 2024 instituted for the offence under Sections 126, 115(2), 64, 351(2), 3(6) of Bharatiya Nyay Sanhita and Sections 3(1)(r)(s)(w), 3(2)(va) of SC/ST (POA) Act and Section 4,6 of POCSO Act.

3. The case of the prosecution is that when the informant, who is aged about 16 years, went to ease herself in the east of her house, the petitioner alongwith other accused persons came there, grabbed her mouth and took her to Kale Sthan at Hanumanganj towards north of temple. The petitioner



committed rape upon the informant thereafter put vermilion on head of the informant and threatened her of dire consequences. The petitioner directed other accused persons to see and to report if anybody comes.

4. It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this present case. He further submitted that the medical report does not support that there was intercourse and that this story has been generated by the uncle of the informant who is a local politician. Moreover, the petitioner is languishing in judicial custody since 04.07.2024.

5. Learned APP appearing for the state has vehemently opposed the prayer of regular bail. He submitted that during course of investigation the statement of the victim girl was recorded under Section 183 of the BNSS in which she has fully supported the case of the prosecution.

6. Having heard the learned counsel for the parties and from perusal of the FIR and statement of the victim girl recorded under Section 183 of the BNSS, it transpires that victim has fully supported the case and there is no statement regarding affair with the petitioner by the victim, so, I am not inclined to enlarge the petitioner on bail and, as such, his prayer



for regular bail stands rejected.

7. This application stands dismissed.

8. 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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