

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83238 of 2024

Arising Out of PS. Case No.-20 Year-2024 Thana- MAHILA P.S. District- Kishanganj

Raju Singh @ Raju @ Raju Kumar Singh Son of Ger Geru Singh Resident of
village- Marugachh P.S.- Pothia Distt.- Kishanganj

... .. Petitioner/s

Versus

1. The State of Bihar
2. Anu Kumari D/O Vijay Sahani Resident of village- Marugachh P.S.- Pothia
Distt.- Kishanganj

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Raj Kumar, Adv.
For the Opposite Party/s :	Mr. Umeshanand Pandit, APP Mr. Dilip Kumar Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 04-04-2025 Heard learned counsel for the petitioner, Mr. Umeshanand Pandit, learned A.P.P for the State and learned counsel for informant/opposite party no. 2, who appeared through *virtual mode*.

2. The petitioner seeks bail in Kishanganj Mahila P.S. Case No. 20/2024, registered for offence under Sections 341, 323, 376(3), 506 of the Indian Penal Code and Section 4 of the POCSO Act.

3. As per F.I.R., while the informant was alone at her house, this petitioner forcibly sexually assaulted her and also threatened her with dire consequences if she would disclose the ordeal to anyone.



4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case. F.I.R. has been lodged after a delay of five months of the alleged occurrence without there being any plausible explanation of delay. In the medical examination, the doctor has not found any sign of rape and has assessed the age of victim, as 19 years. Petitioner has got clean antecedent and is in custody since 31.08.2024.

5. However, learned counsel for the State and informant vehemently opposed the prayer for bail and submitted that there is specific and direct allegation of committing rape against this petitioner, which has been fully supported by the victim/informant, in her statement recorded under Section 164 Cr.P.C..

6. Considering the nature of accusation and statement of the victim recorded under Section 164 Cr.P.C., the prayer for bail of petitioner is rejected.

(Prabhat Kumar Singh, J)

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