

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87138 of 2024

Arising Out of PS. Case No.-168 Year-2024 Thana- GOPALPUR District- Bhagalpur

Rajeev Kumar Son of Fool Kumar @ Fulo Yadav Resident of Village - Babu
Tola Kamla Kund, P.S. - Gopalpur, District - Bhagalpur

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Sangeeta Devi Wife of Premlal Sharma Resident of Village - Kamla Kund
Babu Tola, P.S. - Gopalpur, District - Bhagalpur

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ranjan Kumar Jha, Advocate
For the Opposite Party/s	:	Mr. Uday Pratap Singh, APP
For the Informant	:	Mr. Pankaj Kumar, Advocate

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 18-03-2025 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State. Perused
the case diary.

2. The petitioner seeks bail in connection with
Gopalpur P.S. Case No. 168 of 2024 instituted for the offences
under Sections 376D, 506 of the Indian Penal Code and Section
4/6 of the POCSO Act.

3. Accusation against the accused persons including
the petitioner is of commission of gang rape upon the victim
girl.

4. Learned counsel for the petitioner submitted that the
petitioner is innocent and has falsely been implicated in the



present case. Learned counsel further submitted that the entire prosecution case is false and concocted and even as per medical report, there is no any external injury found on the body of the victim nor any bleeding or spermatozoa was found. Learned counsel further submitted that the statements of the victim under Section 161 and 164 of the Cr.P.C. are contradictory. It has been submitted on behalf of the petitioner that the petitioner is in custody since 11.07.2024 and has no criminal antecedent.

5. Learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the prayer for grant of bail to the petitioner. Learned APP further submitted that victim in her statement recorded under Section 164 of the Cr.P.C. has supported the case of the prosecution.

6. Considering the aforesaid facts and circumstances of the case as also Section 164 CrPC statement of the victim, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, the prayer for grant of bail to the petitioner is, hereby, rejected.

(Rudra Prakash Mishra, J)

Alok Verma/-

U		T	
---	--	---	--

