

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.1762 of 2025

Arising Out of PS. Case No.-108 Year-2024 Thana- MAHILA PS District- Darbhanga

Raj Lal Dev aged 21 years son of Prabhakar Lal Dev resident of village
Phoolbariya PS Bishanpur District Darbhanga

... .. Petitioner

Versus

1. The State of Bihar
2. Pooja Kumari D/o Late Raghuvandra Sahni resident of village Mahnauli
Police Station Bishanpur District Darbhanga

... Opposite Party

Appearance :

For the Petitioner : Mr.Iqbal Asif Niazi, Advocate
For the Opposite Parties : Mr.Parmanand Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 16-04-2025 Heard learned counsel for the petitioner and the State.

2. Petitioner apprehends arrest in a case registered for
the offence punishable under sections 64, 74, 115(2), 352,
351(2), 3(5) of the Bharatiya Nyaya Sanhita, 2023 and sections
4 and 6 of the POCSO Act.

3. Informant has stated that she is a student of Class
11. Petitioner was harassing her for the last one year and on 20-
11-2023, when she was returning from school, petitioner and
other accused persons intercepted her cycle near a bridge
situated in between Panchov and Phoolbariya and forcibly took
her towards orchard and committed rape upon her and also



made obscene video. It is further alleged that thereafter this petitioner on threat committed rape on several occasions. She has further alleged that on 04-09-2024 at about 07:00 P.M. petitioner called her in an orchard in drunken condition and started committing rape which caused severe pain in private part. However, victim any how managed to run away from the spot. Next day she went to the house of the petitioner where his parents started abusing her and threatened to return immediately.

4. Learned counsel appearing for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. petitioner and informant are students of the same school and with passage of time intimacy developed between them and when marriage proposal of victim was turned down by the parents of the petitioner, this case was lodged with false and concocted allegations. Petitioner claims clean antecedent.

5. Learned counsel for the State opposes the prayer for bail. He submits that the petitioner is named in the FIR and the victim in her statement recorded under section 183 Bharatiya Nagarik Suraksha Sanhita, 2023 has supported the prosecution case.

6. Considering the nature of accusation and aforesaid



statement of the victim, prayer for bail of the petitioner is
rejected.

(Prabhat Kumar Singh, J)

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