

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26608 of 2015

Arising Out of PS.Case No. -70 Year- 2015 Thana -NANHPUR District- SITAMARHI

1. Bintu Kumar Sharma Son of Rambriksh Sharma, resdient of village- Bala
sath, Police Station- NAnpur, District- Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pancham Lal Jaiswal
For the State : Mr. Amitesh Kumar (App)
For the Informant : Mr. Ashhar Mustafa, Advocate

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 09-10-2015 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Nanpur
P.S. Case No. 70 of 2015 registered for the offence punishable
under Sections 376, 120B of the Indian Penal Code, Sections 4, 8
of POCSO Act and Sections 67(A), 67 (B) of I. T. Act.

The minor daughter of the informant used to attend
Sunshine Coaching run by the petitioner and the petitioner
committed rape upon her by causing threats and further got
Videography done through Prabhu Raut and on that ground she
was caused threats to develop further sexual relationship and then
the victim told all story of commission of continuous rape with her

to her parents and then the case was registered.

Submission is of false implication and that the petitioner has been made victim due to dirty village politics. The doctor has found the age of the victim 17-18 years, the petitioner has not made any Videography of the victim nor he has committed rape with her and he is suffering in custody since 12.03.2015 without any fault.

Learned APP duly assisted by learned counsel for the informant opposes the prayer of bail by submitting that pen drive containing the objectionable video has been seized vide para 37 of the case diary and mobile has also been seized whereon the video was circulated vide para 40 of the case diary. The victim has supported the allegation in her statement recorded under Section 164 Cr.P.C. which has been kept in sealed cover in the court itself and as such the petitioner does not deserve bail.

In the facts and circumstances stated above and considering the allegation attributed against the petitioner serious in nature, this Court is not inclined to enlarge the petitioner on bail, accordingly, his such prayer stands rejected.

(Jitendra Mohan Sharma, J)

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