

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26252 of 2015

Arising Out of PS.Case No. -147 Year- 2014 Thana -JANKINAGAR District- PURNIA

1. Bauka Yadav Son of Rajendra Yadav Resident of village - Tinkounma,
P.S. Janki Nagar, District - Purnea

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sudish Kumar

For the Opposite Party/s : Mr. M.Haque(App)

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

3 08-10-2015 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Jankinagar
P.S. Case No. 147 of 2014 registered for the offence punishable
under Sections 376/511, 323, 504/34 of the Indian Penal Code
and Sections 4 and 6 of POCSO Act.

Allegedly, the petitioner caught the informant's daughter
and took her at his house and tried to commit rape with her but
due to crying of the girl nearby people arrived and saved her.

Submission is of false implication and that the victim lady
is major aged about more than 19 years and also deaf and dumb.
The petitioner is also a dumb and is in custody since 02.06.2015.
The parents of the victim girl managed the Police to implicate this

petitioner as they want to marry the victim girl with the petitioner but the petitioner and his parents were not ready for the same.

Learned APP opposes the prayer of bail by submitting that from the impugned order it reveals that informant has filed a protest petition on 15.04.2015 alleging therein that his daughter has become pregnant of five months but in spite of that chargesheet has not been submitted under Section 376 IPC. The victim girl being dumb did not narrate the story resulting in FIR the real allegation has not come.

In the facts and circumstances stated above, 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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