

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22036 of 2015

Arising Out of PS.Case No. -88 Year- 2015 Thana -SIKARPUR District-
WESTCHAMPARAN(BETTIAH)

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1. Prabhu Chaudhary S/o Parashuram Chaudhary Resident of Village
Laxmipur, Police Station Shikarpur, District West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar

For the Opposite Party/s : Mr. Renu Kumari(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 10-09-2015

Heard both sides.

The petitioner seeks bail in a case registered for
the offences punishable under sections 307 and 376 of the Indian
Penal Code and sections 4,8, 12 of the POCSO Act.

The case is lodged against unknown. The
informant alleged that he saw blood coming from the private part
of his minor daughter. The victim in paragraph 20 of the case
diary identified the petitioner. From perusal of paragraph 31 of
the case diary it appears that the victim identified the petitioner
among five persons.

It is submitted that the petitioner has falsely been
implicated in this case. The informant did not hand over the under

pant of the victim to the doctor. The informant and the victim was at Primary Health Centre and at the same time the Fardbeyan was recorded in the police station.

Taking into consideration, the nature of allegation that the petitioner outraged the minor girl aged about four years and the victim herself identified the petitioner in presence of many of the villagers, I am not inclined to enlarge the petitioner on bail in connection with Shikarpur P.S. Case No. 88 of 2015 pending in the court of the learned 1st Additional Sessions Judge-cum-Special Judge, West Champaran at Bettiah. Prayer for bail of the petitioner is, accordingly, rejected.

(Prabhat Kumar Jha, J)

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