

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30707 of 2015

Arising Out of PS.Case No. -9 Year- 2015 Thana -ISHOPUR District- BHAGALPUR

Sanjay Yadav Son of Late Bharat Yadav resident of village - Saguni, Police Station - Ishipur Barahat, District - Bhagalpur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Purushottam Kumar Das

For the Opposite Party/s : Mr. Ram Sumiran Rai(App)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 07-10-2015 Heard both sides.

The petitioner apprehends his arrest in Ishipur P.S. Case No. 09/2015, registered for the offences punishable under Section 323, 376, 511, 447 and other sections of the Indian Penal Code and Section 8 of POSCO Act.

The informant alleged that the petitioner, his cousin, entered into his house at night and made an attempt to commit rape with his daughter.

The petitioner also bites in the nose of his daughter when she raised alarm.

The learned counsel for the petitioner submits that the entire allegation is false and concocted. The petitioner filed petition before Sarpanch on 25.01.2015 and thereafter, this case

has been filed. It is submitted that the injury report as of the victim shows that injury was within six hours, although the occurrence is said to have taken place on 02.02.2015. The injury report has been manufactured. It appears that of course, the petitioner is the cousin of the informant, but the informant made very specific allegation that the petitioner entered into his house and made an attempt to commit rape with his daughter. The victim has also supported the facts that the petitioner made attempt to outrage her modesty. The witnesses also saw the petitioner fleeing away from the house of the informant.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner on bail at this stage.

(Prabhat Kumar Jha, J.)

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