

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 7081 of 2016

Arising Out of PS.Case No. -33 Year- 2015 Thana -DANDKHORA District- KATIHAR

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Bijay Hembram @ Vijay Hembrum son of Bittan Hembram, resident of
Village- Sarmati, P.S.- Dandkhora, District- Katihar.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Bimal Kumar

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

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

4. 12-04-2016 Heard Sri Bimal Kumar, learned counsel for the
petitioner and Sri Mukeshwar Dayal, learned Addl. Public
Prosecutor.

The petitioner, who is in custody in Dandkhora P.S.
Case No. 33 of 2015 registered for the offence under Sections 376,
323 & 120(B) of the Indian Penal Code and Section 4 of the
Protection of Children from Sexual Offences Act, 2012, has
prayed for grant of bail.

Learned counsel for the petitioner firstly submits that
initially a complaint case was filed, which was referred to the
police and in complaint petition, the informant had alleged that she
was repeatedly raped by the petitioner, whereas, in statement
recorded under Section 164 of Cr.P.C., the victim girl has stated

that she was raped thrice and she was having physical relation with the petitioner since last one year. On this ground, he makes a prayer for grant of bail.

Sri Dayal, learned Addl. Public Prosecutor has opposed the prayer for bail. After examining the case diary, he submits that the victim is a minor girl and on medical examination, her age was assessed in between 15 and 16 years. He has also submitted that accusation has been corroborated in the statement of the victim recorded under Section 164 Cr.P.C.

In view of facts and circumstances, particularly; the fact that in this case, the victim is a minor girl as well as statement recorded under Section 164 Cr.P.C., I do not find any ground to grant bail.

The petition stands dismissed.

(Rakesh Kumar, J.)

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