

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8783 of 2016

Arising Out of PS.Case No. -796 Year- 2015 Thana -SASARAM MUFFSIL District- SASARAM
(ROHTAS)

Sanker Khatik son of Late Shambhu Khatik, Village/Mohalla- Alamganj,
P.S. Sasaram (M), District- Rohtas

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bindeshwar Prasad Singh, Advocate
For the Opposite Party/s : Mr. Ambika Bhagat (Spl.App)

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

3 22-04-2016 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Sasaram
(M) P.S. Case No. 796 of 2015 registered for the offences
punishable under Section 376(G) of the Indian Penal Code and
Section 4/6 of POCSO Act and Section 3(2)(v), 3 (XI), (XII) of
the SC/ST Act.

Allegedly, five miscreants at the point of knife and
katta, took away the informant behind the room near Majar and
three miscreants committed rape one after another with the
informant and the miscreants were calling Rockey and Patwa.
During investigation, the name of the petitioner transpires that he

was also with Rockey and Patwa in the statement of witness Binod Kumar Sonkar vide para 12 of the case diary and further Reena Kumari, the sister of the informant also stated the name of the petitioner.

Submission is of false implication and that the informant has not taken the name of the petitioner, during medical examination no sign of rape has been found and without any legal and tangible material, the petitioner is suffering in custody to which the learned A.P.P. opposes by submitting that the name of the petitioner has been taken by Reena Kumari also besides other witnesses vide para 12 and 88 of the case diary.

In the facts and circumstances stated above, considering the allegation attributed against the petitioner, serious in nature, I am not inclined to enlarge the petitioner on bail and accordingly, his such prayer stands rejected in connection with Sasaram (M)) P.S. Case No. 796 of 2015 pending in the Court of A.D.J.-I, Sasaram.

However, let the trial be expedited and concluded as per amended proviso of Section 309 of the Cr.P.C..

(Jitendra Mohan Sharma, J)

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