

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12448 of 2016

Arising Out of PS.Case No. -221 Year- 2014 Thana -AURAI District- MUZAFFARPUR

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Jitendra Paswan @ Jitendra

..... Petitioner/s

Versus

The State of Bihar

..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhay Kumar Singh

For the Opposite Party/s Mr. T.N.Thakur(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

02/ 18.03.2016

Heard learned counsel for the petitioner as well as learned

Addl. Public Prosecutor for the State.

Petitioner seeks bail in a case registered under sections 395, 376(2) (g) of the Indian Penal Code as well as sections 4, 6 of the POCSO Act.

Petitioner is named in the first information report on the accusation that he along with others committed dacoity in the house of the informant and in that course, two FIR named accused committed rape on the informant's daughter. The statement of the informant's daughter has been recorded under section 164 of the Cr.P.C in which she supported the allegation of dacoity and rape.

Learned counsel appearing for the petitioner submits that one co-accused Parvin Paswan has already been granted privilege of bail by a coordinate bench of this court vide order dated 12.02.2016 passed in Cr. Misc. no.54254/2015 and, as a matter of fact, petitioner has been roped in this case due to village politics and the petitioner

does not have any criminal antecedent.

Regard being had to the facts and circumstances as well as submissions of the parties, I am not inclined to release the petitioner on bail and hence, his prayer for bail in connection with Aurai P.S. Case no. 221/2014 pending in the court of learned Special Judge, POCSO, Muzaffarpur stands rejected.

(Hemant Kumar Srivastava,J)



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