

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21088 of 2016

Arising Out of PS.Case No. -263 Year- 2015 Thana -MINAPUR District- MUZAFFARPUR

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Awadhesh Sahni Son of Ram Ekbal Sahni, Resident of village- Manikpur,
P.S.- Minapur, District- Muzaffarpur

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Shashank Shekhar, Advocate

For the Opposite Party : Mr. Gopesh Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 22-07-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is in custody in connection with
Minapur P.S.Case No.263 of 2015 pending in the Court of **Ist
Additional Sessions Judge-cum-Special Judge, POCSO,
Muzaffarpur** registered for an offence under Sections 376 and
120B of the IPC and Section 4 of the Protection of Children from
Sexual Offences Act, 2012.

As per the allegation, it is a case of rape upon the
informant by the accused persons.

Petitioner is in custody since 01.02.2016. Petitioner has
got no criminal antecedent. There is no allegation of tampering of
evidence against the petitioner. Petitioner has falsely been

implicated in the present case. The father of the victim wanted to get married the victim with petitioner but the same was not acceptable to the family members of the petitioner, hence the present case has been instituted. The victim is of questionable character.

On behalf of the State, it has been submitted that the petitioner is named in the FIR and on the false assurance of marriage, the petitioner established physical relationship with the victim as a result, the victim became pregnant.

Considering the aforesaid facts and circumstances, I am not inclined to release the petitioner on bail at this stage, the same is rejected.

(Sudhir Singh, J)

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