

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31858 of 2016

Arising Out of PS.Case No. -94 Year- 2016 Thana -SIMRI BAKHTIARPUR District- SAHARSA

1. Md. Jashim @ Md. Jasim S/o Md. Ajim Resident of Village- Jamhra, P.s. Saur Bazar, District Saharsa, At Present Sitanabad, Lalu Tola, P.S. Bakhtiyarpur, District Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar

For the Opposite Party/s Sri Anil Prasad Singh

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

02/ 18.08.2016 Heard learned counsel for the petitioner as well as learned

Addl. Public Prosecutor for the State.

Petitioner seeks bail in a case registered under section 376 of the Indian Penal Code and sections 6, 8 of the POCSO Act.

Victim has specifically stated against the petitioner that the petitioner committed rape on her. The victim disclosed her age as 14 years and the concerned Magistrate who recorded the statement of victim under section 164 Cr.P.C also assessed the age of victim as 14 years, though victim has been found below 18 years of age by the Medical Board.

Therefore, I am not inclined to release the petitioner on bail and his prayer for bail in connection with POCSO case no. 09/2016 arising out of Bakhtiyarpur P.S. Case no. 94/2016 pending in the court of Addl. Sessions Judge I, Saharsa stands rejected.

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(Hemant Kumar Srivastava,J)

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