

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18058 of 2016

Arising Out of PS.Case No. -93 Year- 2015 Thana -CHANDRAMANDI District- JAMUI

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Jitendra Kumar Sharma @ Jitendra Kumar son of Dashrath Sharma @
Dasharath Rana, R/o village- Jogiyatilha, P.S.- Chandramandih, District-
Jamui.... Petitioner

Versus

The State of Bihar..... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Prakash Mahto
For the Opposite Party/s : Mr. Ahmad Ali(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

4 27-06-2016 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Chandramandih P.S. Case No. 93 of 2015 registered for the offences punishable under Section 376 of the Indian Penal Code and Section 18 of POCSO Act.

Allegedly, the petitioner committed rape with the minor informant and thereafter fled away from the house of the informant.

During investigation the victim informant has supported the allegation in her statement recorded under Section 164 Cr.P.C. also.

Submission is of false implication and that the doctor who has examined the victim has not given definite opinion

regarding rape and without any fault the petitioner is suffering in custody since 26.03.2016 to which learned APP opposes.

In the facts and circumstances stated above, considering that the victim girl has supported the allegation in her statement recorded under Section 164 Cr.P.C. and she has been found aged about 16 years and as such considering the allegation attributed against the petitioner serious in nature, this Court is not inclined to enlarge the petitioner on bail, accordingly, his such prayer stands rejected.

Let the trial be expedited and concluded in view of the amended provision of Section 309 of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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