

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.47245 of 2016

Arising Out of PS.Case No. -204 Year- 2016 Thana -BARBIGHA District- SEKHPURA

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1. Mahanan Yadav @ Mahanand Yadav son of late Baleshwar Yadav
Resident of Vill-Ramnagar, P.S- Barbigha, District- Sheikhpura

.... Petitioner

Versus

1. The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar

For the Opposite Party/s : Mr. Smt. Meena Singh

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

ORAL ORDER

2 13-12-2016 Heard learned counsel for the petitioner and learned
counsel representing the State.

Petitioner apprehends his arrest in connection with
Barbigha P.S. Case No. 204 of 2016 registered for the offences
punishable under Section 376 of the Indian Penal Code and
Sections 34 of POCSO Act.

Allegedly, the petitioner committed sexual assault with 9
years aged daughter of the informant which she supports during
statement recorded under Section 164 Cr.P.C.

Submission is of false implication and that the petitioner is
aged about 65 years, statement under Section 164 Cr.P.C. has been
recorded after two days, medical examination does not support the
prosecution version and as such the petitioner deserves
sympathetic consideration to which the learned APP opposes.



In the facts and circumstances stated above, considering the allegation attributed against the petitioner, I am not inclined to enlarge the petitioner on pre-arrest bail, accordingly, his such prayer stands rejected.

(Jitendra Mohan Sharma, J)

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