

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31623 of 2016

Arising Out of PS.Case No. -9 Year- 2016 Thana -MAHILA P.S. District- SAMASTIPUR

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Sanjiv Kumar @ Guddu Son of Late Prabhat Kumar Singh R/o village -
Barapathar, Ward No. 15, P.S. Town, District - Samastipur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Man Mohan Kumar, Adv.

For the Opposite Party/s : Mr. Ram Bachan Singh, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

4 29-09-2016 Heard both sides.

The petitioner apprehends his arrest in Mahila P.S. Case No. 09/2016, registered for the offences punishable under Section 376(i) of the Indian Penal Code and Sections 4 and 6 of the P.O.C.S.O. Act.

The prosecutrix made specific allegation that on 10.04.2016 at about 10.00 in the night while she had gone to attend the call of nature, the petitioner committed rape with her and threatened her if any case is lodged.

Learned counsel for the petitioner submits that the petitioner is son of the landlord. The prosecutrix is living in the house of the petitioner along with her mother. The mother did not pay the rent for the last four months and that is why this case has

been lodged, but it appears that prosecutrix is a minor girl and she made specific allegation of rape against the petitioner, that he raped in the night. Witnesses have also supported the facts.

Considering the facts aforesaid and nature of allegation against the petitioner, I am not inclined to enlarge the petitioner above-named on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

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