

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57953 of 2015

Arising Out of PS.Case No. -259 Year- 2015 Thana -PURNEA SADAR District- PURNIA

1. Chhotu Kumar Singh @ Sujit Kumar Singh @ Sujit Singh Son of
Diwakar Singh Resident of Sardar Tola Aina Mahal, Gulab Bagh, P.s.-
Sadar, District - Purnea.... Petitioner

Versus

1. The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr. N. K. Agrawal, Sr. Advocate
Mr. Dr. Bidhu Ranjan

For the Opposite Party/s : Mr. Ambika Bhagat(Spl.App)

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

3 19-02-2016 Heard learned counsel for the petitioner and learned
counsel representing the State.

Petitioner seeks bail in connection with Sadar P.S. Case
No. 259 of 2015 registered for the offences punishable under
Section 376 (D) of the Indian Penal Code, Sections 3(i) (xi) (xii)
of SC/ST (Prevention of Atrocities) Act and Sections 4/6 of
POCSO Act.

Allegedly, the informant aged 14 years was taken away
by the petitioner and his three associates and thereafter, she
became unconscious and in the morning she was left in front of
her house. It is alleged that the petitioner and his three associates
committed gang rape with her after making her unconscious.

Submission is of false implication and that the informant
is a married lady which is evident from the copy of first

information report of Purnea Mahila P.S. Case No. 70 of 2014 which the informant has filed against her husband under Sections 354, 120B, 406, 498A and 307 of the Indian Penal Code and there she has stated her age 18 years, the Police without verifying these facts after investigation has submitted chargesheet under Sections 376 (D), 504, 506/34 of the Indian Penal Code, Sections 3(i) (x) (xi) (vii) of SC/ST Act and Sections 4 and 5 of POCSO Act. The petitioner has been made victim of Police atrocities in collusion and conspiracy with the informant and as such he deserves sympathetic consideration to which learned APP opposes by submitting that the doctor has found signs of sexual assault and the age has been assessed between 15 to 16 years.

In the facts and circumstances stated above, 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.

(Jitendra Mohan Sharma, J)

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