

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17850 of 2017

Arising Out of PS.Case No. -105 Year- 2016 Thana -MAHILA P.S. District- MUZAFFARPUR

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1. Harischandra Sah @ Harichandra Sah Son of late Muneshwar Sah
Resident of Village- Jiwajore, P.S.- Aurai, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Aaruni Singh

For the Opposite Party/s : Mr. Sri Yogendra Kumar

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 08-05-2017 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Mahila P.S. Case No. 105/16 registered for the offences punishable under Sections 376 ii (i), 201/34 of the Indian Penal Code and Sections 4 and 21 of the POCSO Act.

Allegedly, the petitioner tried to penetrate his private part in private part of two girls, aged six and five years after giving allurement of money.

Submission is of false implication and that medical evidence does not support the prosecution version. The petitioner is aged about 70 years. The prosecution story appears not reliable and probable. The petitioner has been implicated due to village



politics and, as such, the petitioner deserves sympathetic consideration as he is suffering in custody since 03.09.2016.

The learned APP opposes the prayer of bail.

In the facts and circumstances stated above, considering the serious and heinous allegation attributed against the petitioner, at present I am not inclined to enlarge the petitioner on bail and accordingly, his such prayer stands rejected in connection with Mahila P.S. Case No. 105 of 2016 pending in the Court of learned 1st Addl. Sessions Judge-um-Spl. Judge POCSO Act, Muzaffarpur.

(Jitendra Mohan Sharma, J)

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