

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.10644 of 2017

Arising Out of PS.Case No. -42 Year- 2016 Thana -MAHILA P.S. District- SIWAN

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VIJAY KUMAR @ DR. VIJAY KUMAR @ VIJAY YADAV S/o Kedar
Chaudhary, Resident of Village- Orama, P.S.- Siwan Muffasil, District-
Siwan. Petitioner

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Y.C. Verma, Sr. Advocate

Mr. Ajay Kumar Tiwary

For the Opposite Party/s : Mr. Sri Sunil Kumar Pandey

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

ORAL ORDER

2 23-03-2017 Heard learned Sr. Counsel for the petitioner and learned
counsel representing the State.

Petitioner seeks bail in connection with Siwan Mahila P.S.
Case No. 42 of 2016 registered for the offences punishable under
Section 376 of the Indian Penal Code and Sections 6/8 of POCSO
Act.

Allegedly, when the informant went in the clinic of the
petitioner she was brought inside and the petitioner told him to
give injection and then tie her hands and legs and thereafter
started committing rape with her. She raised alarm and came to
her house and narrated the occurrence to her mother and sister.

Submission is of false implication and that the prosecution
story appears not probable and reliable, the petitioner has been
made victim of circumstances, offence under POCSO Act is not



made out as the informant has been found aged about 19-20 years by the Medical Board, no sign of rape was found and further no injury was found on the person of the informant.

Learned APP opposes the prayer of bail.

In the facts and circumstances stated above, considering the allegation attributed against the petitioner, 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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