

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15220 of 2017

Arising Out of PS.Case No. -143 Year- 2016 Thana -RAJPUR District-
EASTCHAMPARAN(MOTIHARI)

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Sachiv Kumar S/o Chayan Ray R/o Village-Shobhita P.S.-Rajepur,
District-East Champaran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Shiva Shankar Sharma, Advocate

For the Opposite Party/s : Mr. Nagendra Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 06-04-2017 Heard learned counsel for the petitioner.

This is an application for bail in connection with Rajepur P.S.Case No. 143 of 2016 registered for the offences punishable under Sections 376, 313, 315 of the Indian Penal Code and 4/6 of POCSO Act.

It has been submitted on behalf of the petitioner that even from FIR it appears that the girl was consenting party aged about 16-17 years and medical report does not show any sign of rape rather some substance like medicine was found there as she has taken medicine for abortion and he has falsely been implicated in this case and he is in custody since 19.11.2016.

Heard learned APP also, who has opposed the prayer for bail stating that the victim girl was minor and her consent was no consent in eye of law.



Having heard both sides and in view of the facts and circumstances, as stated above, I am not inclined to grant bail to the petitioner. Prayer for bail is rejected.

(Vinod Kumar Sinha, J)

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