

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22655 of 2017

Arising Out of PS.Case No. -1 Year- 2017 Thana -BIRUPUR SAHAYAK District- LAKHISARAI
=====

1. Shankar Singh S/o Ashok Singh Resident of Village - Jakhour, P.S. Birupur, District - Lakhisarai.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s
=====

Appearance :

For the Petitioner/s : Mr. Parmanand Pd. Nr. Sahi

For the Opposite Party/s : Mr. Sri Bal Mukund Prasad Sinha
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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

3 29-06-2017 Heard learned counsel for the petitioner and

learned counsel for the State.

Petitioner apprehends arrest in connection with

Birpur P.S. Case No. 1 of 2017 registered under Sections-

377/504/34 of the Indian Penal Code and section 6 of the

POCSO Act.

Learned counsel for the petitioner submits that the

real fact is that the informant and mother of the alleged victim

girl used to pluck crops from the field of the petitioner and the

father of the petitioner had warned him and due to that the

present false case has been lodged. No independent witness has

supported the prosecution case. victim was examined but doctor

did not find any violence or injury on the person of the victim.



Petitioner is in custody since 10.01.2017.

Learned Addl. P.P. appearing for the State opposes the prayer for bail and submits that there is direct and specific allegation against this petitioner of committing unnatural sexual intercourse with the victim. Victim is a minor girl and she in her statement under section 164 Cr.P.C. has reiterated the allegations.

Considering the facts and circumstances of the case, the submissions advanced on behalf of the parties and the nature of allegations levelled, I do not feel inclined to grant the privilege of bail to the petitioner. His prayer for bail is, therefore, rejected.

(Arvind Srivastava, J)

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