

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44818 of 2017

Arising Out of PS.Case No. -65 Year- 2017 Thana -CHAKAND District- GAYA

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1. Md. Tufail Ahmad @ Samir Son of Ghulam Sabir @ Md. Sabir, resident
of Village- Bara, P.S. Chakand, District- Gaya, Bihar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sudha Chandra

For the Opposite Party/s : Mr. Sri Ramchandra Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 16-10-2017 Heard the parties.

This application is for grant of regular bail in connection with POCSO Case No.44 of 2017 arising out of Chakand P.S.Case no.65 of 2017 for the offences punishable under Section 376 of the Indian Penal Code.

Allegation against the petitioner is of committing rape of the victim girl.

Submission of the learned counsel for the petitioner is that she was a consenting party and the medical report also shows that she was major at that time. Further the petitioner is in custody for about 4 ½ months.

Heard learned A.P.P. and the learned counsel for the informant. They have opposed the prayer for bail on the



ground that the statement of the victim girl recorded under Section 164 Cr.P.C. has also supported the prosecution case and the age of the victim girl at the time of recording her statement under Section 164 Cr.P.C. was 15 years.

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

With the aforesaid observation, this application is dismissed.

(Vinod Kumar Sinha, J)

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