

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4434 of 2017

Arising Out of PS.Case No. -209 Year- 2016 Thana -MAGADH MEDICAL COLLEGE District-
GAYA

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Rahul Kumar @ Santan Son of Sri Laxmi Prasad @ Laxmi Narayan Pd.,
Resident of Village- Naili, Police Station- Magadh Medical, District- Gaya.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Praveen Kumar, Advocate

For the Opposite Party : Mr. Surendra Kumar (APP)

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 14-02-2017 Heard learned counsel for the petitioner and the

State.

The petitioner apprehends his arrest in Magadh
Medical P.S. Case No. 209 of 2016 instituted for the offence under
Section 376 of Indian Penal Code and Section 12 of POCSO Act.

It is alleged against this petitioner that he committed
illegal act with her minor daughter Anjali Kumari. The victim
gave her statement recorded under Section 164 of Cr.P.C. wherein
she stated her age 11 years. The court has assessed her age 12
years. The statement also supported her case. She has levelled
specific allegation against this petitioner of committing illegal act
with her. The victim girl has also supported the case in her
statement before police under Section 161 Cr.P.C. and levelled



specific allegation against this petitioner. The doctor has assessed the age of the victim girl between 16 to 17 years. Since there is specific allegation against this petitioner, this court is not inclined to grant petitioner anticipatory bail.

Accordingly, this anticipatory bail petition is hereby rejected.

The petitioner is directed to surrender before the court below within four weeks from today and seek regular bail which shall be disposed of in accordance with law without being prejudiced by this order.

(Sanjay Priya, J.)

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