

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11837 of 2017

Arising Out of PS.Case No. -300 Year- 2016 Thana -MITHANPURA District- MUZAFFARPUR

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1. Raja @ Bhikhari S/o Ashok Singh, Resident of Mohalla- Chakbasu, P.S. Mithanpura, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Priyanka Devi, W/o Pankaj Kumar, Resident of Mohalla- Rambagh Road, Mai Asthan, P.S.- Mithanpura, District- Muzaffarpur.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Neeraj Kumar Alias Sanidh

For the Opposite Party/s : Mr. S. Ehteshamuddin

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 22-03-2017 The petitioner is apprehending his arrest in connection with Mithanpura P.S. Case No. 300 of 2016, registered for offences punishable under Sections 354, 354(D), 379, 504, 506C/34 of the Indian Penal Code and Section II(iv) and 18 of the POCSO Act.

It has been submitted on behalf of the petitioner that the allegation as made in the F.I.R does not constitute an offence under Section 354 and 354(D) of Indian Penal Code as there is nothing on record so as to suggest that petitioner ever tried to outrage the modesty of the girl and the learned court below without considering this aspect and also other aspects has rejected the prayer for bail of the petitioner.



Heard learned A.P.P. also.

Having heard both sides, in view of the allegation made in the F.I.R. it will be appropriate that let petitioner surrender before the Court below and pray for regular bail, which will be considered by the Court below on the materials available on record including the statement of the girl recorded under Section 164 of Cr.P.C. and thereafter the Court below shall dispose of the application of the petitioner, preferably on the same day, without being prejudiced by the order of this Court.

With the above observation, this application is disposed of.

(Vinod Kumar Sinha, J)

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