

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12411 of 2017

Arising Out of PS.Case No. -410 Year- 2015 Thana -SAUR BAZAR District- SAHARSA

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1. Anmol Yadav Son of Late Choote Lal Yadav, Resident of Village-Indarwa, Rauta, Khem, P.S.- Sour Bazar, District- Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Singh

For the Opposite Party/s : Mr. Smt. Anita Kumari Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 04-04-2017 Heard the parties.

This application is for grant of bail in connection with Sour Bazar P.S.Case No.410 of 2015 for the offence under Sections 366(A)/34 and 376 of the Indian Penal Code and Section 4 of Prevention of Children from Sexual Offences (POCSO) Act.

It is submitted on behalf of the petitioner that though it is alleged that the petitioner has committed kidnapping of the victim girl but the victim girl was consenting party and she solemnized marriage with the co-accused Ranjit Sada, who has filed an affidavit before the Notary in this regard. Further, it is submitted that the Doctor has also not found any sign of rape of the victim girl and found the age of the girl to be 15 to 16 years. The petitioner is in custody since 08.10.2016.



Heard learned A.P.P. and the learned counsel for the informant. They have opposed the prayer for bail stating that the victim girl in her statement under Section 164 Cr.P.C. has taken name of the petitioner of kidnapping and committing rape upon her.

Having heard both sides and in view of allegations against the petitioner as well as the statement of the victim girl and considering the fact that the case has been registered under the POCSO Act, I am not inclined to grant bail to the petitioner. As such the prayer of the petitioner is dismissed.

(Vinod Kumar Sinha, J)

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