

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48273 of 2017

Arising Out of PS.Case No. -57 Year- 2017 Thana -KASHICHAK District- NAWADA

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Santu Kumar, Son of Suresh Singh, Resident of Village- Chandinama,
Police Station- Kashichak, District- Nawada.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 18-10-2017

Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Kashichak P.S. Case No. 57 of 2017 instituted for the offence under Sections-376, 365 of the Indian Penal Code and Section-6 of the POCSO Act.

There is allegation against the petitioner that while three minor daughters of the informant were playing, he took all of them towards Tati river. Two daughters of the informant anyhow ran away but the petitioner caught one of the daughters of the informant and committed rape with her. It is further alleged that on 19-07-2017, he came to her house and called three daughters of the informant but the informant raised objection, then he became ready to assault him.

The statement of one of the daughters of the informant was recorded u/S 164 of the Cr.P.C. which is annexed as Annexure-2 to this petition wherein she has stated her age to be 3 years and the court has



assessed her age as 7 years. She has stated in her statement u/S 164 Cr.P.C. that this petitioner took her to lonely place and caused injury in her private part by inserting wood.

Therefore, this court is not inclined to grant anticipatory bail to the petitioner. Accordingly, prayer for anticipatory bail stands rejected.

The petitioner is directed to surrender in the court below and seek regular bail which will be considered on its own merit without being prejudiced by this order.

(Sanjay Priya, J)

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