

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38233 of 2017

Arising Out of PS. Case No.-115 Year-2017 Thana- KARPI District- Jehanabad

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Subodh Kumar Son of Shyam Nandan Singh, R/o Village- Rohai, Post Bara Nathu, P.S.- Karpi, District- Arwal.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Prasad Singh, Sr. Advocate
Mr. Sanjay Kumar Singh
For the Opposite Party/s : Mr. M. Dayal, APP

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL

ORAL ORDER

4 19-09-2017 Heard Mr. Krishna Prasad Singh, learned Senior Counsel
for the petitioner and Mr. Dayal, APP for the State.

Apprehending his arrest in Aurangabad (Mahila) P.S. Case No. 22 of 2017 registered under Sections 366(A), 376, 504, 506 of Indian Penal Code and Section 4 of POCSO Act, the present application is grant of anticipatory bail.

Learned counsel submits that in her statement made u/s 164 Cr.P.C., the victim has only insisted on her marriage with the petitioner. She has disclosed her age about 17 years. The Investigating Officer has purposely suppressed the age of the victim. The petitioner has filed an application for assessment of the age of the victim by the Medical Board. There is delay in



lodging the case.

Learned APP submits that there is explanation in the F.I.R. itself about the delay. Whether the informant was consenting party or not is a matter to be considered on production of evidence.

Considering the nature of allegation, this Court is not inclined to extend the privilege of the anticipatory bail to the petitioner. Prayer is rejected. Petitioner may surrender and pray for regular bail which shall be considered on its own merit in accordance with law.

(Kishore Kumar Mandal, J)

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