

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50080 of 2017

Arising Out of PS.Case No. -59 Year- 2017 Thana -KATEYA District- GOPALGANJ

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Bira Singh @ Birbal Singh S/o Jawahar Singh, R/o Village- Bhagwanpur
(Kurum Tola), P.S.- Kateya, District- Gopalganj

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Lokesh Kumar Singh

For the Opposite Party/s : Mr. Sri Anil Kumar

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

2 17-10-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in connection with Kateya P.S. Case No.59 of 2017 registered under Sections 341, 323, 354, 307, 379, 504 and 447/34 of the Indian Penal Code as well as Sections 7/8 of the POCSO Act.

Learned counsel for the petitioner submits that there is case and counter case between both sides and the injury found on the person of girl is a lacerated wound over the head and not by a sharp cut weapon. However, the injury report shows the injury on the head of Manisha Kumari and the opinion of injury no.1, i.e., over the head is still reserved and it is alleged that she was assaulted to withdraw the case lodged against a co-accused under the POCSO Act.

Having considered the aforesaid facts and



circumstances, the prayer of anticipatory bail of the petitioner is rejected in connection with Kateya P.S. Case No.59 of 2017, pending before the learned 1st Additional Sessions Judge-cum-Special Judge, Gopalganj.

However, the petitioner may surrender and seek regular bail and the court below shall consider the same on merit without being prejudiced by this order.

(Arun Kumar, J.)

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