

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49012 of 2017

Arising Out of PS.Case No. -56 Year- 2017 Thana -DORIGANJ District- SARAN

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Ajit Rai @ Kariva S/O Dineshwar Rai, R/O Village Suratpur, P.S. Doriganj,
District- Saran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kumari Jyoti

For the Opposite Party/s : Smt Pushpa Sinha

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 12-12-2017 Heard the learned counsel for the petitioner as well as

the learned A.P.P. for the state.

In this application for anticipatory bail the petitioner apprehends his arrest in connection with Doriganj P.S. Case No. 56 of 2017 for the offences punishable under section 376 of the I.P.C and section 4 of the POCSO Act.

Allegedly, the petitioner committed rape with five years aged daughter of the informant causing bleeding to her.

Submission is of false implication and that the petitioner runs a shop adjacent to the shop of husband of the informant and due to the business rivalry the petitioner has been falsely implicated, the statement of the victim girl has not been recorded under section 164 of the Cr.P.C. and as such the petitioner deserves sympathetic consideration.



The learned A.P.P. seriously opposes prayer for pre-arrest bail of the petitioner by submitting that the medical evidence also supports the prosecution version and further from paragraph-14 of the case diary it reveals that the statement of the victim girl has been recorded under section 164 of the Cr.P.C.

In the facts and circumstances stated above, considering the allegation attributed against the petitioner, heinous in nature, I am not inclined to grant privilege of pre-arrest bail to the petitioner and accordingly his such prayer stands rejected in connection with the aforementioned case pending in the court of the Additional Sessions Judge, 1st, Chapra.

Abhay/-

(Jitendra Mohan Sharma, J)

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