

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13472 of 2017

Arising Out of PS.Case No. -229 Year- 2016 Thana -JAGDIHSPUR District- BHOJPUR

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1. Sri Kant Sharma, Son of Moti Sharma, Resident of Village- Bharasara,
P.S.- Jagdishpur, District- Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravindra Kumar

For the Opposite Party/s : Mr. Sri Ahmad Ali

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

4 22-05-2017 Heard learned counsel for the petitioner as well as
learned A.P.P. for the State.

The petitioner seeks bail in connection with Jagdishpur
P.S. Case No. 229/2016, registered for the offences punishable
under Section 376 of the Indian Penal Code and Section 376 of the
POCSO Act, 2012.

Allegedly, when the victim girl, aged about 12 years, was
inside her house lonely, the petitioner came there and handed over
some feeding material to her and after eating she became
unconscious and when the informant came at her house it was
found that some blood stain was present over both thigh of the
victim and bleeding was also going on from her private part and as
such, it is alleged that the petitioner has committed rape with



minor girl.

Submission is of false implication and that the petitioner has got no criminal antecedent. FIR has been lodged after much delay and the delay has not been properly explained. The medical report does not support the allegation of rape. The medical prescription and Ultra sound report of the victim also do not support the allegation of rape.

Learned A.P.P. opposes the prayer for bail by submitting that against the petitioner there is specific allegation.

Considering the facts and circumstances, stated above, at present I am not inclined to enlarge the petitioner on bail. Accordingly his such prayer stands rejected.

(Jitendra Mohan Sharma, J.)

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