

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52418 of 2017

Arising Out of PS.Case No. -28 Year- 2017 Thana -MAHILA P.S. District- NAWADA

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1. Anil Kumar @ Anil Singh, S/o Rajo Singh @ Rajendra Singh, R/o
village- Daulatpur, P.S.- Warisaliganj, District- Nawada.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Deepak Kumar, APP

For the Opposite Party/s : Mr. Shailendra Kumar Singh, APP

Mr. Pramod Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 21-12-2017

Heard learned counsel for the petitioner and learned

APP for the State as well as counsel for the informant.

Petitioner apprehends his arrest in **Nawada Mahila P.S. Case No.28 of 2017** instituted for the offence under Section(s) 376, 504 Indian Penal Code and Section 6 of the POCSO Act pending in the Court of the **Special Judge-cum-Additional District Judge-I, Nawada.**

It is alleged that on 03.06.2017, petitioner brought minor daughter of the informant to his house and after making her nude he also became naked and attempted to do illegal act with her. She raised alarm then mother of the victim girl arrived and neighbours also arrived. Then, this petitioner fled away.

Counsel for the petitioner has submitted that wife of this petitioner has filed a case against the husband of the



informant on 05.06.2017 for the occurrence dated 04.06.2017.

Counsel for the informant has appeared and submitted that subsequent to the instant case filed by the informant on 04.06.2017 for the occurrence dated 03.06.2017 against the petitioner, wife of the petitioner has filed a case on 05.06.2017 for the occurrence dated 04.06.2017.

Learned counsel for the informant has submitted that statement of the victim girl has been recorded under Section 164 Cr. P. C., wherein, she has levelled specific allegation against the petitioner as stated in the written report.

In the statement under Section 164 Cr.P.C., victim has stated her age as 14 years, whereas, the Court has assessed her age as 15 years.

In such circumstances, this Court does not find it a fit case for grant of anticipatory bail.

Prayer of the petitioner for grant of anticipatory bail is rejected.

Petitioner may surrender before the Court below and seek regular bail, which shall be considered and disposed off in accordance with law without being prejudiced by this order.

(Sanjay Priya, J)

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