

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13071 of 2017

Arising Out of PS.Case No. -223 Year- 2016 Thana -BALIA District- BEGUSARAI

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Sintu Kumar, Son of Late Siyasaran Poddar, resident of Village- Bari
Baliya Dakshini, P.S.- Baliya, District- Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Sumiran Rai, Advocate.

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary 1, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 24-03-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in Baliya P.S.

Case No. 223 of 2016 instituted for the offence under Sections
341, 342, 354(B) of the Indian Penal Code, Sections 4, 8 and 17 of
POSCO Act.

It is alleged that on the date of occurrence the
petitioner took five years old daughter of the informant to her
Nana house and tried to commit illegal act after removing her
pant. The daughter of the informant started weeping then the wife
of the informant reached at the place of occurrence, but the
petitioner fled away. The pant of the daughter of informant was
found opened. The victim girl was brought by the wife of the
informant to the house who told about the occurrence to her.



From the impugned order, it appears that the statement of victim girl has been recorded under Section 164 Cr. P.C. wherein she has supported the allegation against the petitioner.

In such circumstances, there is serious allegation against the petitioner of attempting to commit rape with a five year old girl.

Therefore, this Court is not inclined to grant anticipatory bail to the petitioner.

The prayer for anticipatory bail of the petitioner stands rejected.

The petitioner is directed to surrender before the court below and make prayer for regular bail which shall be disposed of by the court below on the same day in accordance with law without being prejudiced by this order.

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(Sanjay Priya, J)

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