

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44079 of 2017

Arising Out of PS. Case No.-79 Year-2017 Thana- ROSHANGAANJ District- Gaya

Jitendra Kumar son of Dilkeshwar yadav, R/o village- Pachmah, P.S.- Bankey Bazar, District- Gaya. Petitioner

Versus

The State Of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr. Sudhir Kumar Sinha

For the Opposite Party/s : Mr. SRI BINOD KUMAR

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

2 19-09-2017 Heard learned counsel for the petitioner and learned APP representing the State.

The petitioner apprehends his arrest in Raushanganj (Bankey Bazar) P. S. Case No. 79 of 2017 registered for the offences under Sections 147, 149, 447, 448, 324, 376, 511, 504, 506 of the of the Indian Penal Code and Sections 8 and 12 of POCSO Act.

Allegedly, the petitioner tried to commit rape with the informant who is a student of class IX and minor and further threats were caused to her not to lodge the case and to marry with him. Again the petitioner went before the informant and proposed to marry with her and caused threats.

Submission is of false implication and that due to village politics the petitioner has been implicated in this case. No such offence is made out against the petitioner. He has been made



victim of circumstances. In earlier paragraph there is no name of the petitioner but later on he has been named and as such he deserves sympathetic consideration.

Learned APP opposes the prayer of pre-arrest bail of the petitioner.

In the facts and circumstances stated above, considering the allegation attributed against the petitioner, this Court is not inclined to grant privilege of pre-arrest bail to the petitioner, accordingly, his such prayer stands rejected.

(Jitendra Mohan Sharma, J)

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