

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54675 of 2016

Arising Out of PS.Case No. -103 Year- 2016 Thana -SHAMBHUGANJ District- BANKA

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Subodh Sah @ Subodh Kr. Sah S/o late Shiv Sah @ Shiv Narayan Sah
Resident of Village - Araj Karsop, Police Station- Shambhuganj, District-
Banka.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Ajay Mukherjee, Advocate.

For the Opposite Party/s : Mr. Anil Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 09-01-2017 Heard learned counsel for the petitioner and learned
A.P.P. appearing on behalf of the State.

The petitioner seeks bail in Shambhuganj P.S. Case
No. 103 of 2016 registered under Sections 376, 323, 506 of the
Indian Penal Code and Sections 4, 8 and 12 of the POCSO Act

It has been submitted on behalf of the petitioner that
the petitioner has falsely been implicated in this case and, as a
matter of fact, no case is made out against the petitioner as the
medical report and the statement of the victim girl recorded under
Section 164 Cr.P.C. does not tally with the allegation made in the
F.I.R. under Section 376 of the Indian Penal Code.

Heard learned A.P.P. also. Learned A.P.P. has
opposed the prayer for bail.

Having heard both sides and in view of the material



available on record which shows that there is direct allegation against the petitioner, as such, I am not inclined to enlarge the petitioner on bail in Shambhuganj P.S. Case No. 103/2016 (G.R. No. 2283/16). Accordingly, the prayer for bail of the petitioner is rejected.

(Vinod Kumar Sinha, J)

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