

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12048 of 2017

Arising Out of PS.Case No. -163 Year- 2016 Thana -GHANSHYAMPUR District- DARBHANGA

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Sanjay Sahu @ Sanjit Sahu @ Sanjit Sah, son of Late Ram Bahadur Sahu
@ Bahadur Sahu, Resident of Village & P.O.- Aasi, Police Station-
Ghanshyampur, District- Darbhanga.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prafull Chandra Jha

For the Opposite Party/s : Mr. Sri Ram Priya Saran Singh

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

2 28-03-2017 Heard the learned counsel for the petitioner as well as
the learned A.P.P for the State.

The petitioner seeks bail in a case for the offences
punishable under section 376 of the I.P.C and sections 4 and 6 of
the POCSO Act.

Allegedly, the petitioner forcibly committed rape with
the informant aged 13 years. The informant narrated about the
occurrence to her mother and then to all family members. It was
decided for Panchayati but no Panchayati was done for three days
and then the case was lodged.

Submission is of false implication and that the FIR
was lodged after much delay, no reliance can be placed upon such



statement, the petitioner is aged about 40 years having four children and only due to the earlier dispute he has been implicated in this case resulting the petitioner is suffering in custody since 28.11.2016, medical evidence does not support the prosecution version.

The learned A.P.P. opposes prayer for bail of the petitioner.

In the facts and circumstances as stated above, considering the allegation attributed against the petitioner, I am not inclined to release him on bail and accordingly his such prayer stands rejected in connection with Ghanshyampur P.S. Case No. 163 of 2016/ G.R. No. 40 of 2016 pending in the court of 1st Additional Sessions Judge- Cum- Special Judge (POCSO Act), Darbhanga.

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(Jitendra Mohan Sharma, J)

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