

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3509 of 2017

Arising Out of PS.Case No. -266 Year- 2016 Thana -ARA MUFFSIL District- BHOJPUR

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Shrawan Singh @ Sarwan Singh, Son of Dhanpat Singh, resident of
Village- Khajuria, P.S.- Ara Mufassil, District- Bhojpur (Ara).

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Satyendra Narayan Verma

For the Opposite Party/s : Mr. Sri Madan Kumar

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

3 17-03-2017 Heard learned counsel for the petitioner and learned counsel
representing the State.

Petitioner seeks bail in connection with Ara Muffasil P.S.
Case No. 266 of 2016 registered for the offences punishable under
Sections 376(2) (i) of the Indian Penal Code and Section 4 of
POCSO Act.

Allegedly, the petitioner committed rape with the daughter
of the informant aged about 16 years who is mentally ill when she
was alone in her house after bringing her in the house of Bengali
Prasad Kahar.

Submission is of false implication and that the written report
has been submitted by the father of the victim girl not by the
victim girl. The written report was written by one Qyamuddin
Ansari and father of the victim has only signed the same. The



written report has been submitted after delay of one day, the medical evidence does not support the allegation of rape and as such the petitioner deserves sympathetic consideration.

Learned APP opposes the prayer of bail by submitting that the victim girl in her statement recorded under Section 164 Cr.P.C. has supported the allegation of rape by the petitioner against her and as such he does not deserve bail.

In the facts and circumstances stated above, considering the allegation attributed against the petitioner, this Court is not inclined to enlarge the petitioner on bail, accordingly, his such prayer stands rejected.

(Jitendra Mohan Sharma, J)

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