

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37787 of 2017

Arising Out of PS.Case No. -129 Year- 2017 Thana -BAJPATTI District- SITAMARHI

Digvijay Mishra Son of Late Nagendra Mishra, R/o Village- Babu Naraha,
P.S.- Bajpatti, District- Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Mishra, Advocate

For the Opposite Party/s : Md. Nazir Ansari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

5 06-09-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in Bajpatti P.S.

Case No. 129 of 2017 instituted for the offence under Section 376 of the Indian Penal Code.

Petitioner is said to be maternal uncle of the victim girl. It is alleged in the written report that after murder of parents of the informant, she was living with this petitioner. This petitioner being the Mama of the informant sexually exploited her, for which she also prepared video clips. Case diary has been received in this case.

Learned A.P.P. has submitted that girl in her further statement and other witnesses in the case diary have supported the case and leveled specific allegation against the petitioner of



sexually exploiting the victim girl when she was living with him after murder of her parents.

This Court after looking into the nature of allegation in the written report and the further statement of the girl as well as statement of other witnesses in the case diary is not inclined to grant anticipatory bail to the petitioner.

Prayer for anticipatory bail of the petitioner stands rejected.

Petitioner may surrender and pray for regular bail which shall be considered by the court below on its own merit without being prejudiced by this order.

(Sanjay Priya, J)

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