

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51956 of 2017

Arising Out of PS.Case No. -140 Year- 2017 Thana -MAHUA District- VAISHALI(HAJIPUR)

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Rohit Kumar, Son of Amar Nath Tiwary, Resident of Village- Govindpur,
Police Station- Mahua, District- Vaishali.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Awadhesh Kumar Singh

For the Opposite Party/s : Mr. Parmanand Prasad

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

2 09-11-2017 Heard the learned counsel for the petitioner as well as

the learned A.P.P. for the state.

In this application for anticipatory bail the petitioner apprehends his arrest in connection with Mahua P.S. Case No. 140 of 2017 for the offences punishable under sections 376 and 511 of the I.P.C and sections 4 and 6 of the POCSO Act.

Allegedly, the petitioner took away the minor daughter of the informant to provide lichi and thereafter started doing dirty work with her resulting she started crying and then one woman came and saved her.

Submission is of false implication and that due to land dispute the petitioner has been implicated in this case, Mukhiya has given certificate regarding the land dispute, no such



occurrence has taken place and after eleven days of the alleged occurrence after lodging false FIR the petitioner has been implicated and as such the petitioner deserves sympathetic consideration.

The learned A.P.P. opposes prayer for pre-arrest bail of the petitioner by submitting that the petitioner has committed crime against the minor girl and the victim girl has supported the allegation in her statement recorded under section 164 of the Cr.P.C.

In the facts and circumstances stated above, considering the allegation, I am not inclined to grant privilege of pre-arrest bail to the petitioner and accordingly his such prayer stands rejected in connection with the aforementioned case pending in the court of C.J.M. Vaishali at Hajipur.

(Jitendra Mohan Sharma, J)

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