

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22693 of 2017

Arising Out of PS.Case No. -160 Year- 2015 Thana -MAHESI District- SAHARSA

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Ranjit Sah, Son of Ram Sogarath Sah, Resident of Village- Tariyama, P.S.
Bakhatiyarpur, District Saharsa.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Pramod Mishra, Advocate

For the Opposite Party : Mr. Sri Rajesh Kumar (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 06-07-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner apprehends his arrest in connection
with POCSO Case No. 03 of 2016 arising out of Mahishi P.S.
Case No. 160 of 2015, registered for the offences punishable
under Sections 363, 366A, 376 of the Indian Penal Code and
Section 4 of the POCSO Act

Allegedly, minor daughter of the informant became
traceless and it reveals that she has been kidnapped by unknown
miscreants. During investigation, the name of the petitioner and
others transpired.

Submission is of false implication and that in this
case co-accused Umesh Sah has faced the trial vide POCSO



Case No. 03 of 2016 and he has been acquitted in this case. The victim has not stated the name of the petitioner in her statement recorded under Section 164 of the Cr.P.C., the case has been compromised and, as such, the petitioner deserves sympathetic consideration.

The learned A.P.P. seriously opposes the prayer of pre-arrest bail by submitting that the victim in her statement recorded under Section 164 Cr.P.C. has stated that the petitioner committed rape with her and, as such, the petitioner is the main accused.

In the facts and circumstances as stated above, considering the allegation attributed against him, I am not inclined to grant privilege of pre-arrest bail to him and accordingly his such prayer stands rejected in connection with POCSO Case No. 03 of 2016 arising out of Mahishi P.S. Case No. 160 of 2015, pending in the Court of learned Additional Sessions Judge, 1st- cum- Special Judge, Saharsa.

(Jitendra Mohan Sharma, J.)

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