

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33022 of 2018

Arising Out of PS.Case No. -445 Year- 2017 Thana -
FATUHA District- PATNA

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Manish Yadav @ Manish Kumar S/o Bindeshwar Prasad @
Bindeshwar Yadav, R/o Vill.- Nisibbuchak, P.S.- Fatuha,
District- Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Thakur

For the Opposite Party/s : Mr. Smt Pushpa Sinha

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 03-07-2018 The petitioner seeks bail in anticipation of his arrest in connection with Fatuha P.S. Case No. 445 of 2017 instituted for the offences under Sections 376, 511 of the Indian Penal Code and Section 4 of the Protection of Children From Sexual Offences Act, 2012.

The F.I.R has been lodged by a 13 years old girl who has alleged that while she was coming back from her school, she was given lift by somebody who stood in relation of an uncle to her. Later, she was made to go to an abandoned house where she was attempted to be raped by the petitioner and another.

Mr. Ajay Kumar Thakur, learned advocate for the petitioner has however submitted that in the 164 Cr.P.C



statement made by the victim girl, she has narrated an absolutely different story. In fact, it has been submitted, the victim has not at all stated about her having been subjected to any sexual misdemeanour. She has also not stated about the petitioner having pulled her down from the vehicle with sexual lust. There is a complete divergence in the story narrated in the F.I.R and in the 164 Cr.P.C statement of the victim girl.

Be that as it may, considering the accusation against the petitioner and also taking into account that the victim is a 13 years old girl, I am not inclined to grant anticipatory bail to the petitioner.

The petition is, therefore, dismissed.

(Ashutosh Kumar, J)

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