

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57597 of 2017

Arising Out of PS.Case No. -128 Year- 2017 Thana -BANMANKHI District- PURNIA

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Awadhesh Mandal @ Awadhesh Kumar S/o Ramchandra Mandal, R/o
Village- Hanuman Nagar, Ward No. 11, South Tola, P.S.- Banmankhi,
District- Purnea.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Diwakar Prasad Karn

For the Opposite Party/s : Mr. Tarun Prasad Mandal

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

3 18-01-2018 Supplementary affidavit has been filed on behalf of

the petitioner disclosing that the petitioner is aged about 20 years.

Let it be kept on the record.

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 Special Case No. 46 of
2017 arising out of Banmankhi P.S. Case No. 128 of 2017 for the
offences punishable under sections 448, 354 (A) and 354 (D) of
the I.P.C and section 8 of the POCSO Act.

Allegedly, in absence of the informant the petitioner
after entering in to the house of the informant tried to outrage the



modesty of Khusboo Kumari, aged 12 years, daughter of the informant. In the Panchayati the petitioner confessed his guilt but did not obey the decision of the Panches.

Submission is of false implication, FIR has been lodged after much delay, the petitioner has been made victim of the circumstances, he has got no criminal history, the prosecution story appears not reliable and probable, no paper of the Panchayati has been filed with the FIR and as such the petitioner deserves sympathetic consideration, to which the learned A.P.P. opposes.

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 1st Additional Sessions Judge- Cum-Special Judge (POCSO), Purnea.

(Jitendra Mohan Sharma, J)

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