

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.44926 of 2018

Arising Out of PS.Case No. -335 Year- 2013 Thana -GAYGHAT District- MUZAFFARPUR

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1. Sunil Rai S/o Parikshan Rai, R/o Vill.- Khajuri, P.S.- Gaighat, District-
Muzaffarpur.

.... Petitioner/s

Versus

1. 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. Ajit Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 06-09-2018 Heard the parties.

The petitioner seeks regular bail in connection with Gaighat P.S.Case No. 335 of 2013,registered for the offence under Sections 376/34 of the Indian Penal Code and later on Sections 4,7,8 and 10 of the Prevention of Child From Sexual Offence (POCSO) Act.

As per F.I.R. allegation against the petitioner is of committing rape upon the minor girl of the informant.

Submission of the learned counsel for the petitioner is that the petitioner has not committed any offence and has falsely been implicated in this case due to grudge and malice. It is also submitted that the medical report does not support any sign of commission of rape upon the informant and the age of the victim



girl has been assessed as 17 to 18 years. It is lastly submitted that the petitioner has no criminal antecedent.

Heard learned A.P.P. also who opposed the prayed for bail.

Having heard both sides and in view of the facts and circumstances, as stated above, I am not inclined to grant bail to the petitioner.

With the aforesaid observation, this appeal is dismissed.

(Vinod Kumar Sinha, J)

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