

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.40997 of 2018

Arising Out of PS.Case No. -5 Year- 2017 Thana -MAHILA P.S. District- SAMASTIPUR

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1. Basant Kumar Jha S/o Vijay Kant Jha, R/o Vill.- Eraut, P.S.- Rosera,
District- Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vinay Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 24-09-2018 Heard the parties.

The petitioner seeks regular bail in connection with Samastipur Mahila P.S.Case No. 05 of 2017, registered for the office under Section 376 of the Indian Penal Code and Section 4/6 of POCSO Act.

Allegation as per FIR against the petitioner is of committing rape upon the informant, who is aged about 14 years.

Submission of the learned counsel for the petitioner is that the petitioner has committed no offence and no case is made out under the POCSO Act. Earlier a complaint case has been filed by the petitioner against the informant and present case has been filed as a counter blast to that.

Heard learned A.P.P. also, who opposed the prayer for



bail stating that there is allegation against the petitioner to commit rape upon the informant.

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 and it is accordingly dismissed.

(Vinod Kumar Sinha, J)

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