

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39398 of 2018

Arising Out of PS.Case No. -27 Year- 2018 Thana -SULTANGANJ District- BHAGALPUR

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1. Vikky Kumar @ Vikash Kumar Sharma @ Vikky, Son of Niranjana Sharma, Resident of Village- Udhadih (Bhirkhurd), P.S.- Sultanganj, District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha

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

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 09-08-2018 The petitioner is apprehending his arrest in connection with Sultanganj P.S. Case No. 27/2018, registered for offences punishable under Sections 366(A), 376 of the Indian Penal Code and Section 4 of the POCSO Act.

Allegation against the petitioner is of kidnapping and committing rape upon the minor daughter of the informant.

Submission of learned counsel for the petitioner is that the petitioner is the cousin of the alleged victim girl and has falsely been made accused in this case and further the medical report does not support the case of prosecution.

Heard learned A.P.P. also who opposed the prayer for anticipatory bail of the petitioner by stating that the girl in her statement recorded under Section 164 Cr.P.C. has name this



petitioner and has also supported the allegation.

Having heard both sides, considering the facts and circumstances of this case and also the statement of victim girl recorded under Section 164 Cr.P.C., I am not inclined to grant privilege of anticipatory bail to the petitioner rather he should surrender and pray for regular bail which would be considered on its own merits without prejudiced of this court on the basis of materials available in the case diary.

(Vinod Kumar Sinha, J)

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