

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31438 of 2018

Arising Out of PS. Case No.-29 Year-2017 Thana- MAHILA P.S. District- Siwan

Shiv Kumar S/o Late Vishal Bhar @ Vishal Rajbhar, R/o Vill.- Raghunathpur,
District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar

For the Opposite Party/s : Mr. Sri Anil Kumar

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

4 19-07-2018 Heard learned counsels for the petitioner and the State.

The petitioner, already in custody, seeks bail in connection with Siwan Mahila P.S.Case No. 29 of 2017 registered under Sections 376 and 120B of the Indian penal Code and Section 6 and 8 of the Protection of Children from Sexual Offences Act.

Allegation in brief is that prosecutrix a minor girl went to attend a call of nature in the evening the petitioner along with others on the point of knife taken to maize field and committed rape.

Submission is that allegation is false as it appears from the FIR itself that the boy himself brought the girl and handed over her parents and he was apprehended from his house.

Whereas learned counsel for the State submits that girl was gang raped by the petitioner and others moreover, several



marks of wound were found over the body and medical report also suggests commission of gang rape against the prosecutrix and the girl is minor, only in between to 14-15 years of age.

Having considered the aforesaid facts and circumstances, the prayer of bail of the petitioner is rejected.

(Arun Kumar, J)

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