

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.36045 of 2018

Arising out of PS. Case No.-26 Year-2017 Thana- MAHILA P.S. District- Bhabhua (Kaimur)

Kapil Bind S/o Sri Shiv Bhajan Bind Resident of Village- Dihrama, P.S. Sonhan, District- Kaimur (Bhabua).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yogendra Kumar

For the Opposite Party/s : Mr. Sri Ajay Kumar-l

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR

ORAL ORDER

2 28-06-2018 Heard learned counsel for the petitioner and the learned APP for the State.

Petitioner, already in custody, seeks bail in connection with Bhabua Mahila P.S. Case No.26 of 2017 registered under Section 376 of the Indian Penal Code as well as under Section 4 of the POCSO Act.

Allegation in brief is that the prosecutrix, ten years old, was raped by the petitioner.

Submission is that the petitioner is in custody since 27.04.2017; the prosecutrix was a consenting party and when her aunt saw them in a compromising position then this case was lodged.

Having considered the specific accusation against the petitioner and the age of the girl, the prayer of bail of the petitioner is rejected.

(Arun Kumar, J)

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