

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36779 of 2018

Arising Out of PS.Case No. -36 Year- 2018 Thana -KHAGARIA District- KHAGARIA

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1. Kanhaiya Sada @ Sanjit Sada, Son of Raj Kumar Sada, Resident of Village- Babhangama, P.S.- Khagaria (Gangaur), District- Khagaria.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bishweshwar Ram

For the Opposite Party/s : Mr. S. Ehteshamuddin

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 17-07-2018 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State as well as learned counsel for the informant.

The petitioner has been in custody since 29.01.2018 in connection with POCSO Case No. 12 of 2018 arising out of Khagaria (Gangaur) P.S. Case No. 36 of 2018 registered for the offences punishable under Sections 376(2)(G), 302/34 of the Indian Penal Code and Section 34 of the POCSO Act.

Learned counsel for the petitioner submits that he is not named in the First Information Report, but subsequently in the written statement of the informant, she has built up a story in which she has stated that these two petitioners were seen standing on the roadside and, therefore, she suspected that these petitioners



were responsible for the death of her daughter.

Learned counsel appearing on behalf of the informant has seriously contested the matter and after drawing the attention of the Court to some paragraphs of the case diary has submitted that these two petitioners were squarely responsible for the death of the ten years old girl. Learned Sessions Judge after considering several paragraphs of the case diary has declined to grant bail to these petitioners in view of the fact that medical evidence had also supported the story of rape and murder.

In view of the aforementioned facts and circumstances, I am not inclined to grant regular bail to these petitioners.

It is, accordingly, rejected.

(Anjana Mishra, J)

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