

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.59643 of 2017

Arising Out of PS.Case No. -182 Year- 2017 Thana -BALIA District- BEGUSARAI

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Md. Murshid, S/o Late Mohiuddin, R/o Village- Kasba Husainichak, P.S.-
Baliya, District- Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sudhanshu Shekhar, Advocate.

For the Opposite Party/s : Mr. Uday Pratap Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

3 01-02-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **POCSO Case No. 46 of 2017 arising out of Ballia P.S. Case No. 182 of 2017** instituted for the offence under Sections 366(A)/34 of the Indian Penal Code and Sections 4, 6 and 8 of POCSO Act.

There is allegation against this petitioner that he took the informant on allurement in the garage and committed illegal act with her. When the informant started crying, this petitioner and his mother assured that they will get her marriage performed with this petitioner. Thereafter, this petitioner has committed illegal act with her for two days continuously, on account of which, she became pregnant. The parents of the informant went to the house of the petitioner and made request to perform marriage, but they



refused.

Learned counsel for the petitioner has submitted that injury report does not support allegation in the written report. The girl was found pregnant of 15 weeks.

Case diary has been received in this case.

Learned A.P.P. has submitted that the victim girl has given her statement under Section 164 Cr. P.C. wherein she has levelled specific allegation against this petitioner of committing illegal act with her for 3 to 4 days. The Doctor has also found the victim girl pregnant of fifteen weeks.

Therefore, this Court is not inclined to grant anticipatory bail to the petitioner.

Prayer for anticipatory bail of the petitioner stands rejected.

Petitioner may surrender before the court below and make prayer for regular bail.

(Sanjay Priya, J)

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