

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21029 of 2018

Arising Out of PS.Case No. -83 Year- 2017 Thana -MAHILA P.S. District- SASARAM (ROHTAS)

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Jageshwar Srivastava @ Jogeshwar Srivastwa @ Jogeshwar Srivastava Son
of Sushil Kumar Sinha Resident of Village- Parsathuan, P.S. Kochas,
District- Rohtas.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shri Krishna Sinha
For the Opposite Party/s : Mr. Sri Lakshmi Kant Sharma

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

5 03-07-2018 Heard the learned counsel for the petitioner and the

learned APP for the State.

The petitioner seeks regular bail in connection with

Mahila PS (Rohtas) case no. 83 of 2017 instituted for the offences

punishable under Sections 376, 366(A)/34 of Indian Penal Code

and Section 4 of POCSO Act.

The allegation is regarding the petitioner having

allured the victim girl on the pretext of marriage and thereafter,

committed rape on her over a long period of time.

The learned counsel for the petitioner submits that

the occurrence took place in January, 2017, however the FIR has

been lodged in the Month of November, 2017. It is further

submitted that the petitioner is languishing in custody for more



than six months.

I have perused the materials on record and the case diary as also the statement of the victim girl made under Section 164 Cr.P.C. I find that there are sufficient material against the petitioner to proceed against him and *prima facie*, the petitioner is guilty of committing heinous crime in the present case. The police have also filed the charge sheet, hence there is no question of grant of bail in the present case, accordingly, the same is dismissed.

(Mohit Kumar Shah, J)

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