

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42191 of 2018

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1. Sanjeet Kumar S/o Ramashish Sahani, R/o Vill.- Bela, Simari, P.S.-
Gangour, District- Khagaria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Praveen Kumar Agrawal

For the Opposite Party/s : Mr. Sri Lakshmi Kant Sharma

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 10-08-2018 Heard learned counsel for the petitioner, the
informant as well as the State.

The petitioner apprehends his arrest in Khagaria
(Mahila) P.S. Case No. 15/2018, instituted for the offences
punishable under Sections 376, 328, 506 of the Indian Penal Code
read with Sections 5 and 6 of the POCSO Act.

In the written report, there is allegation against this
petitioner that he after entering into the house of the informant
committed rape with her. The informant is aged about 14 years.

Learned counsel for the petitioner has submitted that
just to give pressure for marriage, the instant case has been lodged.
The girl has been medically examined. The doctor in medical
examination report has assessed the age of the victim girl to be 17-
18 years and gave opinion that no spermatozoa was found.



Learned counsel for the informant has submitted that the victim girl has given her statement before the police in which she has made specific allegation against the petitioner. The mother of the victim girl in para 4 of the case diary has also supported the case of the informant that illegal act has been committed by the petitioner. The restatement of victim girl has been recorded in para 3 of case diary wherein she has supported the case and levelled specific allegation against the petitioner.

In such circumstances, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, the prayer for anticipatory bail of the petitioner is rejected.

The petitioner is directed to surrender before the Court below within four weeks from the date of receipt/production of a copy of this order and pray for regular bail, which shall be considered on its own merit without being prejudiced by this order.

(Sanjay Priya, J.)

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