

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47621 of 2018

Arising Out of PS.Case No. -302 Year- 2017 Thana -MASRAKH District- SARAN

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1. Vikash Sah Son of Bhikhari Sah resident of village Chainpur Chamriya,
P.S. Mashrakh, District Saran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar

For the Opposite Party/s : Smt. Pronati Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 20-09-2018 Heard the parties.

Petitioner seeks bail in POCSO Case No.5 of 2018 arising out of Mashrakh P.S.Case No.302 of 2017 registered for the offences under Section 376 of the I.P.C. and Section 4 of the POCSO Act.

Allegation against the petitioner is of committing rape upon the informant on the point of dagger.

Submission of the learned counsel for the petitioner is that there is delay of two months in lodging the F.I.R. There is love affairs between the parties.

Heard learned A.P.P. also who opposed the prayer for bail of the petitioner stating that the victim girl in her statement recorded under Section 164 Cr.P.C. has supported the prosecution



case. So far as the question of delay in lodging the F.I.R. is concerned, the father of the victim was not living over there. As such, there is delay of two months in lodging the F.I.R.

Having heard both sides and in view of the facts and circumstances, as stated above, I am not inclined to grant bail to the petitioner. The prayer for bail of the petitioner is rejected.

This application is dismissed.

(Vinod Kumar Sinha, J)

AnilKrSinha/-

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