

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.67695 of 2018

Arising Out of PS. Case No.-432 Year-2018 Thana- SAHARSA District- Saharsa

Shiva Yadav, Son of Pawan Yadav @ Pawan Kumar Yadav, Resident of
Village- Shahpur, P.S.- Saharsa, District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amarnath Jha

For the Opposite Party/s : Mr. Mr. Manoj Kumar

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 18-12-2018 The petitioner seeks regular bail in connection with

Saharsa Sadar P.S. Case No. 432/18, (POCSO Case No. 24/18)

registered for offences punishable under Sections 363, 366(A)

and 34 of the Indian Penal Code.

Allegation against the petitioner is of kidnapping the

minor daughter of the informant and committed rape on her.

It has been submitted on behalf of the petitioner that

he has falsely been implicated in this case, which will appear

from the fact that medical report of the girl does not support

the story of rape. Further petitioner has been in judicial custody

since 19.04.2018.

Learned counsel for the State opposed the prayer for

bail and submitted that the girl in her statement recorded



under Section 164 Cr.P.C. has clearly stated that this petitioner kidnapped her and continuously committed rape upon her.

Having heard both sides, considering the facts and circumstances and the nature of accusation, I am not inclined enlarge the petitioner on bail.

This application is accordingly dismissed.

(Vinod Kumar Sinha, J)

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