

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6398 of 2019

Arising Out of PS. Case No.-71 Year-2018 Thana- SHEOHAR District- Sheohar *

Prabhat @ Sunny @ Prabhat Sunny, son of Bishwanath Singh, Resident of
Village Motanaje, P.S. Tariyani, District- Sheohar

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Birendra Kumar Singh
For the Opposite Party/s : Mr.Rana Randhir Singh

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 01-04-2019 Petitioner seeks bail in anticipation of his arrest in connection with Sheohar P.S. Case No. 71 of 2018, registered for the offences punishable under Sections 363, 366A, 376 of the Indian Penal Code and Section 4 of POCSO Act.

Allegation against the petitioner is of kidnapping of minor daughter of the informant and committing rape upon her for the purpose of marriage. It appears that from her statement recorded under Section 164 Cr.P.C. that she has supported the prosecution case stating that she was forcibly raped.

Submission of learned counsel for the petitioner is that the statement of the victim girl disclosed that she was a consensual party and the medical report does not support the allegation of rape and the age of the petitioner was found to be 15-17 years.



Heard learned APP also.

Having heard both sides and in the facts and circumstances, I am not inclined to grant privilege of anticipatory bail to the petitioner.

However, if the petitioner surrenders and makes prayer for regular bail, the same shall be considered on its own merit, without being prejudiced by this order.

With the above observation, this application is dismissed.

(Vinod Kumar Sinha, J)

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