

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1591 of 2019

Arising Out of PS. Case No.-33 Year-2018 Thana- MAHILA P.S. District- Sheohar

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Dilip Kumar son of Dinesh Ram resident of vilalge Chhatauni Tariyani, P.S. Tariyani, District Sheohar.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mahendra Thakur

For the Opposite Party/s : Mr.Sri Pradeep Narain Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 23-01-2019 Heard the parties.

The petitioner is apprehending his arrest in connection with Mahila (District Sheohar) P.S.Case No.33 of 2018 registered for offences punishable under Sections 323, 341, 376(2)(i), 504, 506 of the Indian Penal Code and Section 4 of POCSO Act.

Allegation against the petitioner is of having sexual intercourse with the minor daughter of the informant for last eight months.

Submission of the learned counsel for the petitioner is that she was a consensual party and in the medical examination, she was found to be major and the medical examination report does not support the prosecution case.

Heard learned A.P.P. also.



Having heard both sides and in view of the facts and circumstances, as stated above, I am not inclined to grant anticipatory bail to the petitioner, however, the petitioner is directed to surrender before the learned court below within a period of six weeks from the date of order and make prayer for regular bail, which will be considered by the learned court below without being prejudiced by the order of this Court.

With the aforesaid observation, this application is dismissed.

(Vinod Kumar Sinha, J)

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