

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15548 of 2019

Arising Out of PS. Case No.-175 Year-2018 Thana- NARHATT District- Nawada

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MITHUN RAJBANSHI Son of Rajendra Rajbanshi R/o village- Babhanaur,
P.S.- Narhat, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pramod Kumar Verma

For the Opposite Party/s : Mr.Ganesh Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

3 20-05-2019 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Narhat P.S. Case No. 175 of 2018 for the offence
punishable under Sections 376 of the Indian Penal Code and
Section 4 of the POCSO Act.

Learned counsel appearing for the petitioner
submits that the petitioner, who is of clean antecedent, is
innocent and has not committed any offence. In fact, the
petitioner has been made accused in this case on refusal of
performing marriage with the victim. The petitioner has
never established physical relation with the victim and he
has falsely been implicated in this case. Hence, the petitioner



may be granted the privilege of anticipatory bail.

Learned counsel for the State has opposed the prayer for bail and submitted that there is direct allegation against the petitioner to establish forcible physical relation with the victim on the pretext of marriage. The victim girl is a minor and her age has been assessed as 15 years by the Magistrate.

Considering the facts and circumstances of the case, this Court is not inclined to grant the privilege of anticipatory bail to the petitioner. Accordingly, the prayer for grant of anticipatory bail of this petitioner is rejected.

(Arvind Srivastava, J)

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