

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28697 of 2019

Arising Out of PS. Case No.-253 Year-2018 Thana- KUMAR KHAND District- Madhepura

Bihari Yadav Son of Lakru Yadav @ Sanju Yadav Resident of Village-
Laxmipur, Chandi Asthan, P.S.-Kumarkhand, District-Madhepura.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Sharda Nand Mishra

For the Opposite Party/s : Mr.Binod Kumar

**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**

ORAL ORDER

5 16-11-2019 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with
Kumarkhand P.S. Case No. 253 of 2018 registered for the
offences punishable under Sections 376, 506 of the Indian Penal
Code and 4 of POCSO Act.

There is specific allegation against the petitioner that
he committed rape on eight years old girl. The statement of girl
has been recorded at para 24 of the case diary and in the said
statement, the victim specifically stated that she was sexually
assaulted by the petitioner.

Although, learned counsel appearing for the petitioner
points out that medical evidence does not support the story of



rape and there is land dispute between the parties but taking note of statement of victim, I am not inclined to extend the privilege of anticipatory bail to petitioner. Accordingly, his prayer for anticipatory bail stands rejected.

(Hemant Kumar Srivastava, J)

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