

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3658 of 2018

Arising Out of PS. Case No.-6 Year-2018 Thana- BHADHWAR District- Gaya

Manoranjan Kumar @ Mannu, son of Gouri Shankar Prasas, Resident of
Village-Deochanddih, P.S.-Bhadhwar, District-Gaya

... .. Appellant

Versus

The State Of Bihar

... .. Respondent

Appearance :

For the Appellant/s : Mr.Sunil Kumar, Advocate

For the Respondent/s : Mr.Sadanand Paswan, Special P.P.

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT

Date : 22-01-2019

This appeal is for grant of pre-arrest bail to the appellant against the order dated 18.8.2018 passed by Additional Sessions Judge-I-cum-Special Judge, POCSO Act, Gaya, in ABP No. 3134 of 2018/225 of 2018 by which learned Special Judge has rejected prayer for pre-arrest bail of the appellant, who has been made accused in Bhadwar P.S.Case No. 06 of 2018 registered under Sections 376, 511, 341, 323 of the Indian Penal Code and Section 3(1)(x)(xi) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, including Section 8 of POCSO Act.

Allegation against the appellant is of attempting to commit rape upon the informant.

Submission of learned counsel for the appellant is that there is delay in lodging the FIR and as a matter of fact a Panchayati was held for damaging the crop by cattle of informant and due to that the present case has been lodged.and also the statement recorded under Section 164 Cr.P.C. of the victim girl does not support the prosecution case.



Heard learned Special P.P., who has opposed the prayer for pre-arrest bail of the appellant on the ground that in her statement under Section 164 Cr.P.C. she has stated about attempt to commit rape upon her.

Having heard both sides and in the facts and circumstances, I am not inclined to grant privilege of anticipatory bail to the appellant, rather appellant to surrender and pray for regular bail, which shall be considered on its own merit, without being prejudiced by this order.

With the aforesaid observation, this appeal is dismissed.

(Vinod Kumar Sinha, J)

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