

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52430 of 2019

Arising Out of PS. Case No.-311 Year-2019 Thana- SAHARSA District- Saharsa

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RANJAY KUMAR SAH S/o Mahendra Sah R/o Village- Kahara Ward No. 10, P.S.- Saharsa, District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Md. Harun Quareshi

For the Opposite Party/s : Mr.Shantanu Kumar

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 22-08-2019 Heard both sides.

The petitioner apprehends his arrest in Saharsa P.S. case No. 311 of 2019 registered under Section 376/34 of the IPC and u/s 6 of the POCSO Act.

The informant, mother of the victim, alleged that on 28.03.2019 her daughter went to the Kirana shop of Madhav Kumar but Madhav Kumar and Ranjay Kumar Sah, the petitioner, on the pretext of rendition of accounts took her daughter to a maize field and petitioner caught her leg and Madhav Kumar committed rape with her. When the informant returned she did not find her daughter inside the house. On search, her daughter was found in a maize field in pool of blood. The Panches intervened and got the victim examined by the village doctor. The Panches on the pretext of settlement of the



matter did not allow the informant to lodge the case immediately after the occurrence.

The learned counsel for the petitioner submits that the doctor did not find any sign of rape on the victim.

It appears that the victim is aged less than 14 years and effort is also made to tamper with the evidence by filing a compromise petition.

Taking into consideration the facts that petitioner and Madhav Kumar took the minor daughter of the informant to a maize field and the petitioner caught her leg and Madhav Kumar committed rape with the victim, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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