

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3855 of 2018

Arising Out of PS. Case No.-646 Year-2018 Thana- SONEPUR District- Saran

Sumit Kumar Son of Late Dilip Singh, Resident of Village- Barbatta, P.S.
Sonepur, District- Saran

... .. Appellant/s

Versus

1. State Of Bihar and Anr
2. Savita Kumari, Son of Harinandan Das Paswan, Resident of Village- Barbatta, P.S. Sonepur, District- Saran

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Bimlesh Kumar Pandey
For the Respondent/s : Mr.Sri Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT

Date : 17-01-2019

The appellant seek pre arrest bail in connection with Sonepur P.S. Case No. 646 of 2018, registered for offences punishable under Section 376 of the Indian Penal Code, Section 4 of POCSO Act and Section 3(1) (xii), 2(v) of SC/ST Act.

Allegation against the appellant of committing rape on the informant, who is minor.

It has been submitted on behalf of the appellant that he has falsely been implicated in this case, which will appear from the fact that medical report of the victim girl does not support prosecution story of commission of rape on the informant. Further appellant has no criminal antecedent.



Heard learned A.P.P. also.

Having heard both sides, considering the facts and circumstances of the case and the nature of allegation, I am not inclined to grant the privilege of pre arrest bail to the appellant, however, the appellant, if so desire, may surrender in the court below and pray for regular bail and if any such application is preferred, the same shall be disposed of by the learned court below on the merit of the case, without being prejudiced by the order of this Court.

Accordingly, this appeal dismissed.

(Vinod Kumar Sinha, J)

sunilkumar/-

AFR/NAFR	N/A
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