

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63148 of 2019

Arising Out of PS. Case No.-99 Year-2019 Thana- BARGAINIA District- Sitamarhi

RAMBABU SINGH S/o Late Budhan Singh Resident of Patel Tola, Ward No.
14 Bargainia, P.S.- Bargainia, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Kaushik

For the Opposite Party/s : Mr. Mohammed Arif

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 22-11-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 376, 313, 504, 506,34 of the Indian Penal Code and Section 4,6,8 of the Protection of Children from Sexual Offence Act (POSCO Act).

There is allegation in the FIR that since 5-6 months ago accused Rambabu Singh, who is neighbour of the informant victim, aged about 14 years, called her at his house and after doing some house works, he committed rape with her on allurement of money due to which she became pregnant. Then, accused Rambabu Singh gave her medicines on 09.05.2019 due to which blood was ozzing from her private part. On 11.05.2019, she became very serious, then, her grand mother



and father took her to Sitamarhi for treatment where a baby of three months was aborted from her womb. She came to her house where wife of Rambabu Singh, namely, Rama Devi abused her and threatened to kill her.

Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in the present case. He further submits that petitioner is 70 years of age and it is highly improbable that any such offence could have been committed by him.

Learned counsel for the State submits that the victim girl in her statement under Section 164 Cr.P.C. and doctor in para-52 of the case diary have supported the prosecution case.

Considering the facts and circumstances of the case, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, his payer for anticipatory bail is rejected in connection with Bargainia P.S. Case No. 99 of 2019 pending before the court of the learned A.D.J. 1st cum-Special Judge, Sitamarhi.

Accordingly, the application is dismissed.

(Anjani Kumar Sharan, J)

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