

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65444 of 2019

Arising Out of PS. Case No.-177 Year-2019 Thana- BAKHARI District- Begusarai

Ajnasiya Devi, W/o Ramdev Mukhiya, R/o Village- Salauna, P.S.- Bakhari,
District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rai Mukesh Sharma

For the Opposite Party/s : Mr.Md. Ataur Rahman

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 10-12-2019 This is an application for grant of anticipatory bail in connection with POCSO Case No. 40 of 2019 arising out of Bakhari P. S. Case No. 177 of 2019, disclosing offences under Sections 366(A) of IPC and Section 11, 12 of POCSO Act, 2012.

As per F.I.R. there is allegation against the petitioner that the minor girl of the informant has gone to the house of the petitioner and thereafter, she was trace-less. It further appears from her statement recorded under Section 164 Cr.P.C. that the petitioner has called her and thereafter, several other accused persons have committed rape upon her. She is a minor girl.

Submission of the learned counsel for the petitioner is that during investigation a letter written by the victim girl has been recovered, which shows that she has love affair with



Govind Mukhiya. Petitioner and other accused persons have falsely been implicated in this case.

Heard learned A.P.P. also, who opposed the prayer for anticipatory bail on the ground of allegation as well as statement of the victim girl u/s 164 Cr.P.C.

Having heard both sides, in view of the allegations, I am not inclined to grant privilege of anticipatory bail to the petitioner. However, he has to surrender before the learned court below and make prayer for regular bail on its own merit, without being prejudiced by order of this Court.

With the aforesaid, this application is dismissed.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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