

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.77801 of 2018

Arising Out of PS. Case No.-156 Year-2018 Thana- BUNIYAD GANJ District- Gaya

Prince Kushwaha son of Vijay Kushwaha resident of village - Naudhariyan,
P.S. - Buniyadganj, Dist- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prithivi Raj Singh
For the Opposite Party/s : Mr.Binay Krishna

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 02-01-2019 This application, for grant of anticipatory bail, arises out of Buniyadganj P.S. Case No. 156 of 2018, disclosing offences under Sections 341, 354(B)(A) and 34 of the Indian Penal Code and Section 8 of the POCSO Act and Section 3(1) (w)(I) of SC & ST Act.

Allegation against the petitioner and others is that they dragged the informant in the orchard and tried to outrage her modesty.

Submission of learned counsel for the petitioner is that he has falsely been implicated in this case and no such occurrence has ever taken place. Further submission is that even the statement of the girl under Section 164 Cr.P.C. has not been recorded.

Heard learned A.P.P. also.



Having heard both sides, considering the facts and circumstances and the nature of accusation, I am not inclined to grant the privilege of anticipatory bail to the petitioner rather petitioner should surrender before the court below and make prayer for regular bail and if any such application is filed, the court below shall disposed of the same on the merit of the case, without being prejudiced by the order of this Court.

With the aforesaid observation, this application is dismissed.

(Vinod Kumar Sinha, J)

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