

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71112 of 2019

Arising Out of PS. Case No.-177 Year-2019 Thana- EKANGARSARAI District- Nalanda

Subodh Bind Son of Fakira Bind, Resident of Village- Vishunpur, P.S.-
Ekangarsarai, District- Nalanda.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr.Pramod Kumar Sinha, Advocate
For the State	:	Mr.Jagdhar Prasad, APP
For the Informant	:	Mr.Dhirendra Nath Jha, Advocate
		Mr.Kapil Deo Pandey, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 11-12-2019 Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel for the informant.

Petitioner in the present case is seeking anticipatory
bail in connection with Ekangarsarai P.S. Case No. 177 of 2019
registered for the offences punishable under Sections 341, 323,
504, 354(a) (b)/34 of the Indian Penal Code and Sections 8, 10,
12 of the POCSO Act.

Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in the
present case due to enmity and village politics. It is further
submitted that the statement of the victim girl recorded under
Section 164 Cr.P.C. does not support the version of first
information report.



Learned A.P.P. for the State has opposed the prayer for bail.

Considering the facts and circumstances of this case, wherein it appears that when informant was going to attend the call of nature, the petitioner along with three unknown persons with bad intention caught the informant, gagged her mouth, caught her hair and took her to adjacent Primary School and tried to outrage her modesty and further that the victim is said to be a minor girl and her statement u/s. 161 and 164 Cr.P.C. and other witnesses of the case diary have supported the complicity of the petitioner in the alleged occurrence, this Court is not inclined to grant privilege of anticipatory to the petitioner. His prayer for anticipatory bail is refused.

(Rajeev Ranjan Prasad, J)

vats/ved

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