

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78834 of 2019

Arising Out of PS. Case No.-248 Year-2019 Thana- TEKARI District- Gaya

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Bharat Kumar Son of Ramadhar Paswan, resident of village- Jhilmil, Police Station- Tekari, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rabindra Kumar Priyadarshi

For the Opposite Party/s : Mr.Arun Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

3 11-12-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

In this case, the petitioner is seeking anticipatory bail in connection with Tekari P.S. Case No.248 of 2019 registered for offence punishable under section 376 of the Indian Penal Code and section 4 POCSO Act.

Allegation has been made against the petitioner to have established the physical relationship with the victim girl, taking benefit of tutor which the victim has stated in her statement recorded under section 164 Cr.P.C.

The learned counsel for the petitioner submits that submits that false and fabricated allegation has been made against the petitioner to settle the land dispute. The family members of the victim belongs to upper caste whereas the



petitioner is of lower caste, on that reason, the petitioner has been framed in the present case. The medical report also states that the girl was attained majority, but looking to the fact that the petitioner was tutor, taking benefit of that he has established the physical relationship with the victim, at the same time, he has taken her photograph.

In such view of the matter, this Court is not inclined to grant bail to the petitioner and, accordingly, his prayer for bail is rejected.

(Shivaji Pandey, J)

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