

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5271 of 2019

Arising Out of PS. Case No.-58 Year-2019 Thana- MAHILA PS District- Jehanabad

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PAPPU SHARMA @ PAPPU KUMAR SHARMA Son of Madheshwar
Sharma Resident of Village- Sultanpur, P.S.- Hulashganj, District- Jehanabad.

... .. Appellant/s

Versus

THE STATE OF BIHAR

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Manoj Kumar

For the Respondent/s : Mr.Sanjay Kumar Tiwary

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 03-12-2019 Heard learned counsel for the appellant and learned
Additional Public Prosecutor for the State.

The appellant in the present case is seeking setting aside the order dated 14.11.2019 passed in A.B.P. No. 1270 of 2019 by which anticipatory bail of the appellants has been rejected by learned Additional Sessions Judge – 1st, Jehanabad in connection with Jehanabad Mahila P.S. Case No. 58/2019 for offences under Section 376(D) of the I.P.C. and Section 4 of POCSO Act and under Section 3(1)(r)(s)(w), 3(2)(v) of SC/ST (Prevention of Atrocities) Act.

There is an allegation of rape against the appellant. Learned counsel for the appellant submits that there is no eye witness to the alleged occurrence and further that the matter has been compromised. It is also submitted that the F.I.R. has been



lodged three days after the alleged occurrence.

Learned Special Public Prosecutor for the State has opposed the prayer for anticipatory bail of the appellant.

Considering the facts and circumstances of the case where there is an allegation of rape against this appellant and the victim is said to be a minor aged about 16 years, this court finds no illegality or infirmity in the impugned order.

The appeal is dismissed.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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