

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83632 of 2019

Arising Out of PS. Case No.-265 Year-2019 Thana- SABAUR District- Bhagalpur

1. PRAVEEN KUMAR @ SIDDHARTH KUMAR Son of Mahendra Paswan
Resident of Village - Bansitikar, P.S.- Sabour, Distt - Bhagalpur.
2. Fantus Paswan @ Prashant Paswan @ Prashant Kumar Son of Ruppan
Paswan Resident of Village - Bansitikar, P.S.- Sabour, Distt - Bhagalpur.
3. Sonu Kumar Son of Ashok Paswan Resident of Village - Bansitikar, P.S.-
Sabour, Distt - Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Deepak Kumar Sinha

For the Opposite Party/s : Mr.Anant Kumar 1

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 17-12-2019 Heard the learned counsel for the petitioners and the
learned A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Sabour P.S. Case No. 265 of 2019 registered for the offence punishable under Sections 323, 341, 376(D)(A) of the Indian Penal Code read with under Section 34 of the Indian Penal Code and Sections 6 /8 of the POCSO Act.

The allegation is regarding the petitioners having forcibly tied clothes around the mouth of the informant (minor) on the



alleged date and time of occurrence and thereafter, they are said to have forcibly lifted her and made her sit in an auto, whereupon the informant was taken to the orchard and there the said three accused persons, who are the petitioners herein, had raped her and then, had taken her in an auto to Bhagalpur railway station where she was dropped and then the petitioners had fled away.

The learned counsel for the petitioners has submitted that the petitioners have been falsely implicated in the present case.

I have heard the learned counsel for the petitioners and gone through the materials on record and I find that the allegation levelled against the petitioners is regarding commission of a heinous crime and a bare perusal of the impugned order dated 23.10.2019 would show that not only the witnesses have supported the incident, but the informant has also supported the occurrence in her statement made before the police under Section 161 Cr.P.C., as also in her statement made before the learned Magistrate under Section 164 Cr.P.C. Moreover, the age of the victim girl has been found to be in between 14-16 years as per the medical report.

Having considered the facts and circumstances of the case, I do not find any reason to consider the prayer of the



petitioners for grant of anticipatory bail, hence, the present
petition stands dismissed.

(Mohit Kumar Shah, J)

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