

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4075 of 2020

Arising Out of PS. Case No.-548 Year-2015 Thana- MAJHAULIA District- West Champaran

1. PINTU KUMAR @ PINTU KUMAR SINGH Son of Ramadhar Singh Resident of Village - Ghabardiya, P.S.- Sarhar, Distt - Sitamarhi.
2. Soniya Devi @ Soniya Deevi Wife of Late Shivbalak Singh Resident of Village - Jhakhra, P.S.- Govind Ganj, Distt - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey

For the Opposite Party/s : Mr.Vinod Shanker Modi

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

3 23-06-2020 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners apprehend their arrest in connection with Majhauriya P.S. Case No. 548 of 2015 registered for the offence under Sections 363, 366A and 372 of the Indian Penal Code and Section 8 of the POCSO Act.

Learned counsel for the petitioners submits that the petitioners, who are of clean antecedent, are innocent and have not committed any offence. In fact, the victim, who is major, has been medically examined by the doctor and it has been opined by that doctor that no sign with respect to recent sexual assault has been found on the person of victim and her age has also



been assessed as 20 years by the doctor, this fact is clearly evident from the medical report of the victim which is at paragraph-22 of the case diary. These petitioners have falsely been implicated in this case. Moreover, the entire case does not attract the provisions of POCSO Act. Hence, the petitioners deserve the privilege of anticipatory bail.

Considering the facts and circumstances of the case, let the petitioners, above named, in the even of their arrest or surrender within a period of four weeks from today, be released on anticipatory bail on furnishing their personal bonds to the satisfaction of learned Additional District and Sessions Judge-1st, West Champaran at Bettiah in connection with Majhau liya P.S. Case No. 548 of 2015, subject to the conditions laid down under Section 438(2) of the Cr. P.C.

(Arvind Srivastava, J)

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