

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26393 of 2020

Arising Out of PS. Case No.-2 Year-2020 Thana- DEWARIA District- Muzaffarpur

CHANDRIKA SAH, Son of Late Vitan Sah, Resident of Village- Dharfari,
P.S.- Deoriya, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nachiketa Jha

For the Opposite Party/s : Mr.Chaubey Jawahar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 01-12-2020 Heard learned counsel for the petitioner and learned
APP for the State through virtual court proceedings.

The petitioner seeks regular bail in connection with
Deoriya P.S. Case No. 02/2020 pending in the court of learned
1st Additional Sessions Judge cum Special Judge POCSO Act,
Muzaffarpur, registered for the offence punishable under
Section 376 of the Indian Penal Code as well as $\frac{3}{4}$ of the
POCSO Act.

Allegation against the petitioner alongwith another
accused person is of committing rape to the minor girls aged
about five and six years old.

Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case due to land dispute and dirty village politics. He further



submits that the petitioner and victim are from one family and on the basis of FIR and statement recorded u/s 164 Cr.P.C. of victims and after lodging FIR, petitioner's family members called a Panchayat for solution of case but no conclusion could be arrived. The petitioner is in jail custody since 04.01.2020. The petitioner has no criminal antecedent.

Learned APP for the State opposes the prayer for bail petition.

I have perused the record and case diary and the statements of the victims have been recorded u/s 164 Cr.P.C., both of them have supported the prosecution case.

Considering the aforesaid facts, I am not inclined to enlarge the petitioner on bail. Accordingly, the prayer for bail of the petitioner is rejected.

Accordingly, this application is dismissed.

(Anjani Kumar Sharan, J)

amitkumar/-

U		T	
---	--	---	--

