

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60109 of 2018

Arising Out of PS. Case No.-40 Year-2018 Thana- SUGAULI District- East Champaran

Saral Devi @ Saroj Devi W/o Dhruv Singh, R/o Khoda, P.S.- Sugauli,
District- East Champaran.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Bachelal Sahani S/o Adalat Sahani,
3. Ram Babu Sahani S/o Motilal Sahani, Both R/o Khoda, P.S.- Sugauli,
District- East Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Krishna Kant Singh
For the Opposite Party/s : Mr.Sri Umeshnand Pandit

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 24-02-2020 This application has been filed for cancellation of anticipatory bail granted to opposite party nos. 2 and 3 by learned 1st Additional Sessions Judge -cum-Special Judge, East Champaran vide order dated 30.07.2018 passed in Sugauli P.S. Case No. 40/2018, registered for offences punishable under Sections 366(A)/34 of the Indian Penal Code and Section 8 of POCSO Act.

Submission of learned counsel for the petitioner is that the learned Additional Sessions Judge, without considering the fact that the victim girl is minor and the statement of victim girl has no evidentiary value in the eye of law, has granted bail to opposite party no. 2 and 3.



Heard learned A.P.P. and perused the impugned order, from which, it appears that the learned Additional Sessions Judge after considering the fact that in medical report, age of the girl was found between 17 to 18 years and in her statement under Section 164 Cr.P.C., she has disclosed her age as 19 years and in her statement, she has also stated that she had gone out of her own sweet will, has granted bail to opposite party nos. 2 and 3 and further, there is no case of misused of privilege of bail or of tampering with the evidence.

Considering the facts and circumstances, I find no merit in this application, same is, accordingly, dismissed

(Vinod Kumar Sinha, J)

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