

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82638 of 2019

Arising Out of PS. Case No.-292 Year-2019 Thana- PARSA District- Saran

Jamadar Singh S/o Late Babulal Singh R/o village- Bathui, P.S.- Parsa,
District- Saran at Chapra

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Satya Prakash

For the Opposite Party/s : Mr.Ajit Kumar

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 18-02-2020 Heard learned counsel for the petitioner, learned A.P.P.
for the State as well as learned counsel for the informant.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 376, 511/34 of the Indian Penal Code and Sections 8 and 12 of the POCSO Act.

The prosecution case, as per the written report of the informant, namely, Radhika Devi is to the effect that on 24.08.2019 at about 12.00 P.M. while the informant's daughter had gone to bring grass from the agricultural field, accused Jamadar Singh (the petitioner) and Faijuddin had tried to commit rape on her.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the present



case. The victim girl's statement has been recorded under Section 164 Cr.P.C. which does not corroborate the prosecution story. In her statement, she has categorically alleged against the accused Faijuddin for attempting to commit rape. It is further submitted that the victim girl was examined by the doctor, but no external or internal injury was found on her body. A statement has been made in paragraph-3 of the petition that the petitioner is not having any criminal antecedent.

Learned Addl. Public Prosecutor as well as learned counsel for the informant have opposed the prayer for anticipatory bail by submitting that the petitioner is named accused in the F.I.R. with specific accusation that he tried to commit rape on the victim girl.

Considering the nature of accusation, I am not inclined to enlarge the petitioner on anticipatory bail. However, if the petitioner surrenders before the court below within a period of six weeks from today, the learned court below may consider the prayer for bail without being prejudiced by the order of this Court.

(Dinesh Kumar Singh, J)

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