

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84112 of 2019

Arising Out of PS. Case No.-110 Year-2017 Thana- GOPALPUR District- West Champaran

MANAGER SAH S/o Late Ramjas Sah, Resident of Village- Tengrahiya,
Bakulahar, P.S.- Gopalpur, District- West Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Shrivastava, Adv.

For the Opposite Party/s : Mr.Aditya Narayan Singh.1,APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 17-06-2020 Heard both sides through Video Conferencing.

The petitioner apprehends his arrest in Gopalpur P.S.
Case No.110 of 2017 registered under Sections 341, 323, 354B,
506 and 34 of the Indian Penal Code and under Section 8 of the
POCSO Act.

The informant alleged that on 09.07.2017 the
informant and his wife was sowing paddy crops in the field. His
daughter is aged about 12 years was returning after attending the
call of nature but Manager Sah caught her with bad intention
and took her to his darbaja. His daughter raised alarm but
Manager Sah took his daughter inside the house and touched her
body. It is further alleged that Manager Sah torn her clothes. On
alarm, the wife of the informant went there but in the meantime
Ram Pravesh Sah (son of Manager Sah) also came there and



threatened the daughter of the informant to kill her and her father.

Learned counsel for the petitioner submits that the occurrence took place on 09.07.2017 but the F.I.R. was lodged on 24.07.2017. There is inordinate delay in lodging the F.I.R. Now the case has been compromised.

It appears that there is specific allegation against the petitioner that he caught the minor daughter of the informant with bad intention and took her inside the house. The petitioner torn her clothes with bad intention but somehow on timely arrival of the mother of the victim, the victim could be saved from being ravished. The mother of the victim took the victim to M.J.K. Hospital and where fardbeyan of the informant was recorded on 12.07.2017. The fardbeyan was sent to the police station and that is why the F.I.R. was lodged on 24.07.2017. From perusal of the case-diary, it appears that the process under Section 82 of the Cr.P.C. against the petitioner has already been exhausted and the petitioner is absconding.

Having considered the facts aforesaid, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

If the petitioner surrenders in the court below, the



learned court below shall consider the prayer for regular bail of the petitioner on its own merit without being prejudiced from the order of this court.

(Prabhat Kumar Jha, J)

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