

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30769 of 2021**

Arising Out of PS. Case No.-65 Year-2019 Thana- MAHILA PS District- Jamui

ASHISH TANTI S/o Radhe Tanti R/o village- Jamunipar, P.S.- Khaira,
District- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kartik Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Anand Mohan Prasad Mehta, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER**

5 20-12-2021 Heard Mr. Kartik Kumar Sinha, learned counsel for
the petitioner and Mr. Anand Mohan Prasad Mehta, learned
Additional Public Prosecutor appearing for the State.

Petitioner seeks regular bail in connection with Jamui
Mahila P.S. Case No. 65 of 2019 registered for the offences
punishable under Sections 341, 376, 506 of the Indian Penal
Code 1860 and Section 4 of POCSO Act.

The allegation against the petitioner is that he
allegedly committed rape upon a minor girl of about 16 years of
age.

Learned counsel for the petitioner submits that the petitioner
has falsely been implicated in this case due to village politics
and First Information Report has been lodged after a delay
of two days. Learned counsel further submits that the victim



girl was examined by the Doctor, but no sign of rape has been found on the person of the victim girl.

On the other hand, learned counsel for the State submits that the statement of the victim girl was recorded under Section 164 Cr. P.C. in which she has categorically said that the rape was committed upon her by the petitioner. As such, the petitioner does not deserve the privilege of regular bail.

Regards being had to the submission made by the parties and taking into consideration the nature of allegation and the statement of the victim girl recorded under Section 164 Cr. P.C., I am not inclined to grant regular bail to the petitioner.

Accordingly, the prayer for bail of the petitioner stands rejected.

(Anil Kumar Sinha, J)

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