

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31449 of 2020

Arising Out of PS. Case No.-17 Year-2020 Thana- MAHILA P.S. District- Samastipur

SUBODH ROY Son of Vindeshwar Roy Resident of Village - Virnama Tola,
P.S. Angarghat, District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anshu Dhar Sharma

For the Opposite Party/s : Mr. Ram Bilas Rai Raman

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 11-01-2021 Heard both sides.

The petitioner seeks bail in Samastipur Mahila P.S. case No. 17/2020 registered u/s 376(AB) of the IPC and u/s 4 of the POCSO Act.

The informant alleged that petitioner took her daughter about five years and son, Prince Kumar, aged about 10 years, for showing Holy festival. After some time Prince Kumar came and told the informant that petitioner committed illegal acts with Ragini Kumari. When the informant went to Chour she found her daughter weeping.

The learned counsel for the petitioner submits that the victim does not support the factum of occurrence. The doctor also did not find any injury showing sexual assault on the victim but it appears from perusal of the statement of the victim



recorded u/s 164 of the Cr. P. C. that blood was oozing out from her anus. Blood was also found at the jeans paint of the petitioner and there appears that petitioner tried to commit unnatural offence with a minor girl aged about five years.

Taking into consideration the facts aforesaid, I am not inclined to enlarge the petitioner on bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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