

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32361 of 2020

Arising Out of PS. Case No.-91 Year-2020 Thana- JHAJHA District- Jamui

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RAJA YADAV @ RAJENDRA YADAV, Son of Tetu Yadav Resident of
Village - Sohjana, P.S.- Jhajha, Distt.- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pankaj Kumar Sinha

For the Opposite Party/s : Mr.APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 08-02-2021 Heard Mr. Pankaj Kumar Sinha, learned counsel

for the petitioner and Mr. Ashok Kumar Singh, learned

APP for the State.

The petitioner seeks bail in anticipation of his

arrest in connection with Jhajha P. S. Case No. 91 of

2020 dated 15.03.2020, instituted for the offences

under Sections 342, 343, 376 and 34 of the Indian

Penal Code and Section 28 of the POCSO Act, 2012.

The petitioner is alleged to have forcibly

subjected the prosecutrix to sexual harassment and

rape.

The learned counsel for the petitioner has



submitted that from the reading of the F.I.R. itself, the accusation would not appear to be correct. The medical examination of the victim girl reveals that she is not a minor but is of 19 years of age. The factum of rape also could not be substantiated in the medical report.

However, looking at the allegation against the petitioner and the attendant circumstances, I am not inclined to grant anticipatory bail to him.

The petition for anticipatory bail is rejected.

In case the petitioner surrenders before the court below and seeks bail, the court below shall consider his application and shall take into account all necessary facts and shall pass an order without being prejudiced by the fact that the present petition has not been entertained by this Court.

(Ashutosh Kumar, J)

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