

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.550 of 2021**

Arising Out of PS. Case No.-418 Year-2018 Thana- SAKRA District- Muzaffarpur

SUKESH SAH @ CHHOTU Son of Raghuwar Sah, Resident of Village -
Machhi, P.S. - Sakara, Dist. - Muzaffarpur.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Kumari Sujata Sinha
For the Respondent/s : Mr.A.G

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

3 23-03-2021 Heard learned counsel for the appellant and learned
Special P.P. for the State.

By way of this memo of appeal under Sections 14
(A) (2) of the Scheduled Caste and Scheduled Tribes
(Prevention of Atrocities Act, 1989 appellant seeks for setting
aside the order dated 16.10.2020 in connection Sakara P.S. Case
No. 418/2018 and registered under Section 377 of the Indian
Penal Code and later on charge sheet has been submitted under
Section 8 of the POCSO Act and Sections 3 (2)(VI) of the
Scheduled Castes and Scheduled Tribes (Prevention of
Atrocities) by the learned VIth Additional District and Sessions
Judge cum Special Judge-POCSO-1, Muzaffarpur in B.P. No.
1356/2020.

Prosecution case in brief is that the informant has



alleged that the appellant has committed unnatural offence with her son in the night of 17.09.2018 Vishwakarma Puja and in the morning of 18.09.2018 returned house and narrated the incident.

Learned counsel for the appellant submits that the appellant is innocent and has committed no offence but has been falsely implicated in this case. There is no any offence made out against the appellant He further submits that the victim has supported the allegation in his statement recorded under Section 164 Cr.P.C. and also corroborated by the injury report. The appellant is in custody since 23.01.2020.

Learned Special P.P. for the State opposed the prayer for bail.

Considering the facts and circumstances of the case as well as that the nature and gravity of allegation, I am not inclined to enlarge the appellant on bail. Accordingly, the prayer for bail of the appellant is rejected.

Accordingly, this appeal is dismissed.

(Anjani Kumar Sharan, J)

amitkumar/-

U		T	
---	--	---	--

