

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10774 of 2022

Arising Out of PS. Case No.-108 Year-2020 Thana- SAHIYARA District- Sitamarhi

Govind Sahni Son Of Shivchandra Sahni R/O Village- Lakshmipur, Ward No.
2, P.S.- Sahiyara, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Santosh Kumar

For the Opposite Party/s : Mr.Md. Aslam Ansari

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 26-04-2022 Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner seeks bail in Sahiyara P.S. Case No.
108 of 2020 corresponding to Trial No. 121 of 2020, registered
for the offence punishable under Section 376/34 of the Indian
Penal Code and section 3/4 of the POCSO Act.

As per the prosecution case, on 27.09.2020 in the
night petitioner along with co-accused Dilip Kumar entered into
house of informant and ravished her. They also threatened not to
disclose the ordeal otherwise she would be killed.

It is submitted on behalf of the petitioner that
petitioner has falsely been implicated in this case due to
previous dispute. Petitioner is in custody since 12.11.2020
having no criminal antecedent.



Learned APP however, vehemently opposed the prayer for bail and submitted that the victim girl in her statement under Section 164 Cr.P.C has fully supported the prosecution case wherein she disclosed her age as 14 years. The court below has also assessed her age to be 15 years.

Considering the statement of victim girl under Section 164 Cr.P.C, I am not inclined to enlarge the petitioner above-named on bail. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

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