

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22333 of 2021

Arising Out of PS. Case No.-165 Year-2020 Thana- PIPRA District- Supaul

SACHIN MANDAL Son of Gujay Mandal Resident of Village- Ratauli, Ward
No. 03, P.S.- Pipra, District- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Tiwary
For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 08-02-2022 This matter has been taken up for hearing online
because of COVID-19 pandemic restrictions.

Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner is expected to
honour his undertaking to remove the defects as pointed out by
the office when called upon to do so by the office.

The instant application for anticipatory bail has been
filed by the petitioner apprehending his arrest in connection
with Pipra P.S. Case no. 165 of 2020 instituted for the offence
punishable under Section 376 of the Indian Penal Code and
Section 4 of the POCSO Act.

As per allegation in the FIR, while the minor
daughter, aged about 13 years, of the informant was going to



meet her grandmother, in the midway petitioner caught the girl and tried to outrage her modesty.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has been falsely implicated in this case. He has got no criminal antecedent. Victim girl in her statement recorded under Section 164 Cr.P.C. has not taken the name of the petitioner.

Learned APP appearing for the State has opposed the prayer of bail and submitted the there is specific allegation of committing overt act against the petitioner. Victim girl has also supported the prosecution case in her statement recorded under Section 164 Cr.P.C., which is mentioned in para 35 of the case diary. Several witnesses have also supported the prosecution case.

Having heard learned counsel for the parties and taking into consideration that there is direct allegation of rape upon a minor girl against the petitioner, I am not inclined to grant bail to the petitioner and, as such, his application for bail is rejected.

(Sunil Kumar Panwar, J)

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