

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45075 of 2021**

Arising Out of PS. Case No.-166 Year-2021 Thana- MAHNAR District- Vaishali

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GANESH SINGH @ GANESH KUMAR Son of Sri Kailash Singh Resident
of Village- Narayanpur, Dedhpura, Police Station- Mahnar, District- Vaishali.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha, Adv
For the Opposite Party/s : Mr. Prem Kumar Jha, APP

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

4 26-07-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner undertakes to remove the defects within four weeks of resumption of normal court proceedings. In the eventuality of non-removal of defects within stipulated period, office will place the matter before the Bench.

The petitioner apprehend his arrest in a case registered for the offence punishable under sections 325, 365, 376(D)/34 of the Indian Penal Code and 4 and 8 of POCSO Act.

The allegation against the petitioner is that he along with other co-accused persons committed rape upon the daughter of the informant.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He



has been falsely implicated in this case due to dirty village politics. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioner is not specific rather general and omnibus in nature. The petitioner has not been apprehended on the spot. It is submitted that there is love-affair between the victim and the petitioner. He further submits that the victim with her own freewill left the house and came to the house of petitioner. The petitioner has not been apprehended on the spot. Petitioner has no criminal antecedent.

Learned APP for the State opposed the prayer for anticipatory bail by submitting that the victim girl is a minor.

Having regard to the facts and circumstances of the case, since the victim is a minor, I am not inclined to grant bail to the petitioner. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

This application is accordingly, dismissed.

(Anjani Kumar Sharan, J)

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