

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71655 of 2021

Arising Out of PS. Case No.-236 Year-2021 Thana- PURNEA SADAR District- Purnia

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LAKARI SHARMA @ LAKHARI SHARMA @ RITESH SHARMA Son of
Late Aniruddh Sharma Resident of Village - Hatbari, P.S.- Pranpur, Distt.-
Katihar.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Suresh Prasad Sah

For the Opposite Party/s : Mr.Nagendra Prasad

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 28-04-2022 Heard learned counsel for the petitioner and the State.

The petitioner seeks regular bail in registered for the offences punishable under section 376AB and other allied sections of the Indian Penal Code and sections 4 and 18 of Protection of Children from Sexual Offences (POCSO) Act, 2012.

As per the prosecution case, this petitioner is alleged to have committed rape on the nine years old daughter of the informant.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. Victim has been medically examined and the doctor has not found any external or internal injury on the body of the



victim and has assessed her age to be 12 to 13 years. Petitioner has got clean antecedent as stated in paragraph 3 of the bail petition. Petitioner is in custody since 14.5.2021.

Learned counsel for the State opposes the prayer for bail and submits that the victim in her section 164 Cr.P.C. statement has supported the prosecution case. In the FIR also, there is direct allegation that this petitioner committed rape on the nine years old daughter of the informant.

Considering the nature of accusation and the aforesaid statement of the victim, prayer for bail of the petitioner is refused.

(Prabhat Kumar Singh, J)

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