

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10862 of 2023

Arising Out of PS. Case No.-7 Year-2022 Thana- MAHILA PS District- Jehanabad

DINANATH SHARMA S/O Late- Sugan Sharma @ Bajrangi Singh R/O
Village- Bhadseri, P.S- Kako, District- Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amit Kumar Anand

For the Opposite Party/s : Mr.Ramchandra Sahni

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 27-06-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

The instant application for regular bail has been filed by the petitioner in connection with Special (POCSO) Case No. 19 of 2022 arising out of Mahila PS Case No. 07 of 2022 instituted for the offence punishable under Sections 376(AB)/34 of the Indian Penal Code read with Sections 6, 10/34 of the POCSO Act.

As per allegation in the FIR, while the victim girl was returning from temple, her co-villager, Vinod Sharma and this petitioner took her to cowshed and committed rape.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. Petitioner is old man of 62 years. He has been falsely



implicated in this case due to dirty village politics. Petitioner is next door neighbour and due to some previous enmity between the parties, he has been falsely implicated in this case. He is languishing in judicial custody since 4.4.2022.

Learned APP appearing for the State has opposed the prayer of bail and submitted that statement of the victim girl was got recorded under Section 164 Cr.P.C., wherein she has made specific allegation of rape against the petitioner. Medical report supports the prosecution story.

Having heard learned counsel for the parties and taking into consideration that there is direct allegation of committing rape against the petitioner upon the minor girl of the informant, 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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