

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68329 of 2023

Arising Out of PS. Case No.-92 Year-2020 Thana- WARISLIGANJ District- Nawada

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SUMIT@ NAGENDRA KUMAR @ SUMIT KUMAR Ramashray Prasad @
Ramashray Chauhan R/o village-Jiyapur, P.S.-Warisliganj, District-Nawada

... .. Petitioner/s

Versus

THE STATE OF BIHAR PATNA

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar, Advocate

For the Opposite Party/s : Mr. Md. Fahimuddin, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 01-12-2023 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with POCSO Case No. 69 of 2020 arising out of Warisliganj P.S. Case No. 92 of 2020 for the offence registered under sections 328, 302, 376, 511 and 34 of the Indian Penal Code and section 8 of the POCSO Act lodged on 09.04.2020 by the informant Sanjay Kumar.

3. The F.I.R. of 2020 alleges that when the minor daughter of the informant had gone to attend the nature's call, the accused persons tried to rape her. As she made a call to the villagers, allegation is that this petitioner as also Akshay Kumar forcefully put poison in her mouth. Subsequently, the victim girl died. This followed the FIR.



4. Learned Counsel for the petitioner submits that charge sheet has been submitted under section 306 of the Indian Penal Code.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail stating that in 2020, the FIR was lodged, allegation is of trying to rape and when she protested, forcing her to consume poison and the innocent girl ultimately suffered.

6. Having gone through the facts of the case as also the fact that the FIR lodged in 2020 three years later, the prayer has been made for anticipatory bail, the accusation that has come against the petitioner, this Court certainly has reservation for extending him the privilege of anticipatory bail.

7. The petition stands rejected.

(Rajiv Roy, J)

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