

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.76776 of 2023**

Arising Out of PS. Case No.-190 Year-2023 Thana- CHHAURADANO District- East  
Champaran

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SAJAN KUMAR SON OF MANOJ GUPTA @ MANOJ PRASAD R/O  
VILLAGE- DARPA TOLA, P.S.- PIPRA, DISTRICT- EAST CHAMPARAN,  
MOTIHARI

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Rajesh Kumar

For the Opposite Party/s : Mr. Madhura Nand Jha

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

2      05-12-2023      Heard the parties.

2. The petitioner apprehends his arrest in connection with Chhauradano P.S. Case No.190 of 2023, registered for the offence punishable under Sections 420, 376, 504, 506/34 of the Indian Penal Code and section 4 of POCSO Act.

3. The allegation against the petitioner is that he forcibly established physical relationship after putting vermilion on the head of the daughter of the informant and also refused to keep her.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and have committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation



levelled against the petitioner is not specific rather general and omnibus in nature. The bail application of the petitioner was rejected by the learned Court below only on the ground that as per the school leaving certificate of the victim her age was assessed about 15 years 01 month and 04 days, but as per the medical board she is aged about 17 to 18 years. Petitioner has one criminal antecedent.

6. Learned APP for the State opposed the prayer for anticipatory bail by submitting that the victim has supported the prosecution case in her statement recorded u/s 164 of Cr.PC.

7. Having regard to the facts and circumstances of the case as well as considering the statement of victim recorded u/s 164 of Cr.PC, I am not inclined to enlarge the petitioner on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

8. This application is, accordingly, dismissed.

**(Anjani Kumar Sharan, J)**

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