

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40966 of 2024

Arising Out of PS. Case No.-3 Year-2024 Thana- MAHILA P.S. District- Kaimur (Bhabua)

Shankar Singh @ Vijay Shankar Singh Son of Keshav Singh Resident of
Village - Marichaon, P.S.- Bhabhua, District - Kaimur at Bhabhua.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Kiran Kumari Sharma, Advocate
For the State : Ms. Suman Kumari Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 03-07-2024 Heard Ms. Kiran Kumari Sharma, learned counsel

for the petitioner and Ms. Suman Kumari Singh, learned

Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Mahila P.S. Case No. 03 of 2024, F.I.R. dated 18.01.2024 for the offences punishable under Sections 366(A), 354 and 34 of the Indian Penal Code and Section 8 of the POCSO Act.

3. According to prosecution case, when the informant was come to her maternal aunt from her house in the meantime, a white colour car boarded with three persons came from backside and three persons sitting inside the car pull down the informant and forcibly sit in the car and also started



molesting her. On protest they assaulted her.

4. Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. He further submits that the allegation as alleged is false and fabricated and the petitioner has not committed any offence as alleged in the FIR.

5. Learned Additional Public Prosecutor for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner and submits that from a bare perusal of the impugned order it appears that the statement of the victim was recorded under Section 164 Cr.P.C. in which she has categorically stated that the petitioner along with other co-accused persons have committed crime in question apart from that the date of birth of the victim is 15.07.2011 and as such the victim was below the age of 18 years on the date of the occurrence. He further submits that the petitioner carries one criminal antecedent other than the present one but fairly submits on the basis of the paragraph-3 of the bail petition that the petitioner is on bail in the pending matter.

6. Considering the aforesaid facts and circumstances, I am not inclined to grant the privilege of anticipatory bail to the petitioner in connection with Mahila P.S. Case No. 03 of



2024 pending in the Court of learned A.D.J., VI, Bhabhua at
Kaimur.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

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