

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7142 of 2016

Arising Out of PS.Case No. -363 Year- 2015 Thana -MAJHAULIA District-
WESTCHAMPARAN(BETTIAH)

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1. RINTU DUBEY @ RANTU DUBEY @ RENTU DUBEY, Son of
Awadhesh Dubey, Resident of Village- Rulahi, P.S.- Manjhaulia, District-
West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Ambika Bhagat(Spl.Pp)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**

ORAL ORDER

2 17-02-2016 Heard learned counsel for the petitioner and the
State.

Petitioner is apprehending his arrest in a case
registered for the offences punishable under Sections 376,
511/34 of the Indian Penal Code, 3(1) (xi) of the
S.C./S.T.(Prevention of Atrocities) Act and 8, 10 of the
Protection of Children from the Sexual Offences Act.

The prosecution case is that the petitioner caught
holds the 12 years old daughter of the informant Amrita
Kumari and started outrage the modesty. On alarm being
raised, the accused persons escaped from the scene. When the
husband of the informant went to made complain, then he
was abused by the accused persons.

It is submitted by the learned counsel for the

petitioner that for the occurrence of 13.07.2015 the First Information Report was registered on 14.07.2015. Even assuming the accusation no offence under Section 376 is made out. There is no medical examination of the victim girl. Petitioner at relevant point of time put the goat of the informant on cattle pond, since the crops of the petitioner were grazed and petitioner has filed a Complaint Case No. 1629C of 2015 against the informant. Statement has been made in para-3 of the petition that petitioner has no criminal antecedent.

The aforesaid facts constitute ground for consideration of prayer for regular bail of the petitioner, if the petitioner surrenders before the learned court below within a period of six weeks from today in connection with Manjhaulia P.S. Case No. 363 of 2015, pending in the court of learned Additional Sessions Judge-I-cum-Special Judge, West Champaran at Bettiah.

With this observation this application is disposed of.

(Dinesh Kumar Singh, J)

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