

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17021 of 2016

Arising Out of PS.Case No. -5 Year- 2016 Thana -DANDARI District- BEGUSARAI

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Bhudeo Rai Son of Late Balmiki Rai, Resident of village- Sishauni, P.S.-
Dandari, District- Begusarai

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary(App)

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 25-04-2016 Heard learned counsel for the petitioner and counsel
for the State.

In this case, the petitioner is seeking bail in connection
with Dandari P.S. Case No. 05 of 2016 for offence under Sections
376, 506 of the Indian Penal Code as also under Sections 6 & 8 of
the POCSO Act.

One seven years old girl made a complaint before the
police that the petitioner has committed rape on her.

Learned counsel for the petitioner submits that in the
statement under Section 164 of the Cr.P.C., the victim girl has not
stated in detail and the doctor has not found any sign of
commission of rape. It has also been submitted that the First
Information Report has been lodged after ten days of the date of

occurrence. There is no F.S.L. report to corroborate the offence of commission of rape.

In the present case, the girl herself has come forward and has made a statement against the petitioner of commission of rape.

In that view of the matter, this Court is not inclined to grant bail to the petitioner.

Accordingly, the prayer for bail of the petitioner, namely, Bhudeo Rai is rejected.

(Shivaji Pandey, J)

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