

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.26120 of 2016

Arising Out of PS.Case No. -17 Year- 2016 Thana -BAUSI District- PURNIA

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Chhotu Kumar @ Chhotu Kumar Yadav son of Dilip Yadav Resident of
Village Mahesh Khunt P.S. Dagarua, District Purnea.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar

For the Opposite Party/s : Mr. Md. Nazir Ansari

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**
ORAL ORDER

3 10-08-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is accused in connection with Special
Case No. 16 of 2016 arising out of Baisi P.S. Case No. 17 of 2016
registered under section 376 of the I.P.C. and 4 of POCSO Act
pending in the Court of 1st Additional Sessions Judge-cum-Special
Judge, Purnea.

The accusation is that this petitioner carried to minor
daughter of the informant in the maize field and committed rape at
her.

Learned counsel appearing on behalf of the petitioner
submits that in fact, informant approached the father of petitioner
to perform the marriage of his daughter, victim but the father of

petitioner refused the proposal of informant, due to that reason, the informant got implicated the petitioner with false allegation of rape by the petitioner at the victim.

On the other hand, learned counsel for the Informant opposed the prayer of the petitioner with submission that victim has stated about committing rape by the petitioner in absence of her parents. In the Medical Examination, age of the victim has been assessed in between 15 to 16 years.

Having considered the facts and circumstances of the case and nature of allegation, I am not inclined to allow the prayer of the petitioner. Accordingly, prayer of the petitioner for bail is rejected.

(Rajendra Kumar Mishra, J)

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