

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48401 of 2016

Arising Out of PS.Case No. -277 Year- 2014 Thana -NANHPUR District- SITAMARHI

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Md. Raja Son of Md. Harun R/o Village Patnukka, P.S. Nanpur, District
Sitamarhi.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 26-11-2016 Heard Mr. Agrawal for the petitioner and Mr. Ashok
Kumar, APP for the State.

Initially, a complaint was lodged by the mother of the informant which was later treated as an FIR. It is alleged that her daughter was mentally retarded and was being sexually assaulted by the petitioner on regular basis. He became pregnant. When the matter was reported it is alleged that the petitioner and others abused her and threatened with dire consequences.

It is submitted that the victim is married. Upon conclusion of the investigation, the police did not find it a case under POCSO Act and submitted the charge sheet only under section 376 IPC. The petitioner is in custody since 19.07.2016.

Learned APP opposed the prayer and submitted with reference to the order of the learned court below that in course of

investigation the witnesses have supported the case.

Considering the facts and circumstances of the case, I am not inclined to grant bail to the petitioner. Prayer is accordingly rejected.

However, the petitioner shall have liberty to renew his prayer for bail if the trial does not record adequate progress/headway within 07 months from the date of receipt/production of a copy of this order.

(Kishore Kumar Mandal, J)

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