

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55669 of 2015

Arising Out of PS.Case No. -39 Year- 2015 Thana -MAHILA P.S. District- BANKA

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1. Rajendra Tanti Son of Late Jhasu Tanti, Resident of Village- Simaria,
P.S.- Belhar, District- Banka.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Pandey

For the Opposite Party/s : Mr. Dr. M.K.Gautam(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA
ORAL ORDER

4 15-02-2016 Heard learned counsel for the petitioner and learned
counsel representing the State.

Petitioner seeks bail in connection with Mahila P.S.
(Banka) Case No. 39 of 2015 registered for the offences
punishable under Section 376 of the Indian Penal Code and
Section 4 of POCSO Act.

Allegedly, the petitioner committed rape with Guriya
Kumari aged 16 years, deaf and dumb daughter of the informant,
after taking her in a maize field and the occurrence was seen by
Juli Kumari the youngest daughter of the informant.

Submission is of false implication and that the occurrence
is of 08.08.2015 whereas written application has been submitted
on 09.08.2015, the doctor who has examined the victim has not

found any sign of rape or any injury on her body and as such the petitioner deserves sympathetic consideration to which the learned APP duly assisted by learned counsel for the informant opposes by submitting that Juli Kumari being eye witness has stated about the occurrence and further the mother Sudha Devi stated that earlier also the petitioner has committed such offence with her deaf and dumb daughter.

In the facts and circumstances stated above, considering the allegation attributed against the petitioner serious in nature, this Court is not inclined to enlarge the petitioner on bail, accordingly, his such prayer stands rejected.

However, learned trial court is directed to expedite the trial and conclude the same in view of the amended proviso of Section 309 of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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