

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39695 of 2016

Arising Out of PS.Case No. -80 Year- 2016 Thana -MAHILA P.S. District- NALANDA
(BIHARSHARIFF)

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Ramashray Raut Son of late Karu Raut Resident of Village- Chhatiana, PS
Harnaut District Nalanda.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Mishra, Adv.

For the Opposite Party/s : Mr. Nityanand, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

3 11-11-2016 Heard both sides.

The petitioner apprehends his arrest in Mahila P.S. Case
No. 80/2016, registered for the offences punishable under Section
376 of the Indian Penal Code and Sections 4 and 8 of the
P.O.C.S.O Act.

The informant alleged that when he returned his home
from outside on 23.06.2016 his Bhabhi Laxmi Devi informed him
that the petitioner committed rape with his deaf and dumb
daughter. Chandani Kumari saw the occurrence.

Learned counsel for the petitioner submits that F.I.R.
was lodged on 24.06.2016 and on the same day the victim was
examined, but the doctor did not find any sign of rape. Petitioner

is the close agnates of the informant and there is land dispute. No injury was found on the body of the victim, but it appears that the victim is deaf and dumb and Chandani Kumari who is also minor has very categorically stated that the petitioner was outraging the modesty of the deaf and dumb girl and she was crying, on such, others came only thereafter the petitioner fled away.

Considering the facts aforesaid and the nature of allegation made against the petitioner, I am not inclined to enlarge the petitioner above-named on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

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