

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48804 of 2017

Arising Out of PS.Case No. -304 Year- 2017 Thana -HAJIPUR District- VAISHALI(HAJIPUR)

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1. Ashok Mahto, Son of Late Moti Mahto, Resident of Village- Minapur,
P.S. & P.O.- Hajipur Town, District- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Tuhin Shankar

For the Opposite Party/s : Mr. Dr. Ajeet Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 09-11-2017 The petitioner seeks regular bail in connection with

Hajipur Town P.S. Case No. 304 of 2017, registered for offences

punishable under Section 376 of Indian Penal Code and Section 8,

4 and 12 of POCSO Act.

Allegation against the petitioner is of committing

repeated rape on the prosecutrix.

It has been submitted on behalf of the petitioner that there

is delay of seven months in lodging F.I.R. Further there is enmity

between the parties from before as a case has been lodged by the

petitioner against the father of the informant with regard to

election dispute and due to which this present false and concocted

case has been filed, which will appear from the fact that medical

report does not support the case of prosecution. Further he has



been in custody since 09.05.2017.

Learned counsel for the State opposed the prayer for bail and submitted that the girl is minor and the case is also under POCSO Act.

Having heard both sides, considering the fact and circumstances of the case and serious nature of allegation and also the fact that the case is under Sections of POCSO Act, I am not inclined to release the petitioner on bail, his application for regular bail is, accordingly, rejected.

However, the Special Judge, POCSO, Act, is directed to expedite the trial and try to conclude it within a period of Seven months.

(Vinod Kumar Sinha, J)

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