

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3213 of 2017

Arising Out of PS.Case No. -60 Year- 2016 Thana -BABUBARHI District- MADHUBANI

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Sanjeet Kumar Raut, son of Ram Chandra Raut resident of Village -
Aouraha, P.S. - Babu Barhi, District - Madhubani.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Mishra

For the Opposite Party/s : Mr. Akbar Ali

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 08-02-2017 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner is accused in connection with Barahi
P.S. Case No. 60 of 2016, registered under Section 376 of the
Indian Penal Code and Section 4 of the POCSO Act.

The accusation is of committing rape upon minor
daughter of the informant aged about 14 years by this petitioner
at lonely place, where she had gone to cut grass.

Learned counsel for the petitioner submits that the
occurrence of rape is said to be of 12.03.2016 at about 1.30 P.M.
and the victim was medically examined on 13.03.2016 at 10.45
A.M. but no sign of rape was found and the age of the victim
was assessed by the Medical Board in between 16 to 17 years.



Further submission is that due to land dispute informant lodged the present case with false allegation of committing rape by this petitioner on her minor daughter. After settlement of the dispute, the informant and her daughter (Victim) has filed an application on 29.06.2016 in the Court of Addl. Sessions Judge-1st-cum-Special Judge, POCSO Act, Madhubani about settlement of the dispute with the prayer to not proceed with the case.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the 1st Addl. Sessions Judge-cum-Special Judge, Madhubani in connection with Babu Barahi P.S. Case No. 60 of 2016.

(Rajendra Kumar Mishra, J)

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