

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37959 of 2017

Arising Out of PS.Case No. -20 Year- 2017 Thana -MAHILA P.S. District- VAISHALI(HAJIPUR)

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Dharmendra Paswan, Son of Prem Kumar @ Chamru Paswan, Resident of
village- Sohrathi, Police Station- Jandaha, District- Vaishali.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar @ Vijay Kr. Singh, Adv.

For the Opposite Party/s : Mr. Sri Sanjay Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 16-08-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner apprehends his arrest in connection
with Mahila P.S. Case No. 20 of 2017 registered for the offence(s)
punishable under section(s) 376 of the Indian Penal Code and 4. 6,
8, 10 and 12 of the POCSO Act.

The allegation, as per the written report, is that this
petitioner forcibly caught the daughter of the informant and
committed rape on her in the maize field.

It has been submitted that there is delay of 4 days in
lodging the FIR. The petitioner is father of two children, having
clean antecedent. The Doctor in medical report, has assessed the
age of victim in between 17-19 years.



Learned Additional Public Prosecutor on the other hand opposed the submission.

Considering the specific allegation against the petitioner that when the daughter of the informant went to cut the grass from the field, the petitioner forcibly committed rape on her and the informant has mentioned the age of victim as 13 years. In such view of the matter, I am not inclined to grant anticipatory bail to the petitioner and accordingly, his prayer is rejected.

(Sanjay Kumar, J)

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