

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.60473 of 2017**

Arising Out of PS.Case No. -101 Year- 2013 Thana -BHEJA District- MADHUBANI

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Indramani Ray @ Chotkan Rai, Son of Shiv Shankar Ray, Resident of  
Mohalla/Village- Karhara, P.S.- Bheja, District- Madhubani.

.... .... Petitioner/s

Versus

The State of Bihar.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Arun Kumar Bhagat

For the Opposite Party/s : Mr. Sri Rajeev Nayan

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR  
SINGH**  
ORAL ORDER

02/ 13-12-2017

Heard learned counsel for the petitioner  
and learned APP for the State.

The petitioner is apprehending his arrest in  
a case registered for the offences punishable under Sections  
376/511, 323, 341, 504 and 506/34 of the Indian Penal Code,  
wherein subsequently final form has been submitted under  
Sections 354, 341, 504 and 506 of the Indian Penal Code and  
Section 4 of the Protection of Children from Sexual Offences  
Act, 2012.

The prosecution case got initiated on the  
written report of the informant Arjun Rai, to the effect that the



petitioner abused the sister of the informant due to previous enmity, caught hold of her hand and tried to ravish her. On alarm being raised by the sister of the informant, petitioner escaped from the scene. Thereafter, the informant along with his brothers went to the door of the petitioner, upon which the accused persons assaulted the informant and others.

It is submitted by learned counsel for the petitioner that the victim was a major on the date of occurrence and in the background of land dispute the accusation has been levelled and there is no medical examination of the sister of the informant.

Since the FIR was registered in 2013 and the bail application was preferred before the learned Sessions Judge in 2017, this Court is not inclined to interfere. However, in view of the submissions that the victim was major on the date of occurrence and there is no medical examination of the victim, it is a case for consideration of prayer for regular bail by the learned Court below, if the petitioner surrenders before the learned court below within a period of six weeks from today in connection with Bheja P.S. Case No. 101 of 2013 pending in the court of learned 1<sup>st</sup> Additional Sessions Judge –cum- Special Judge, Madhubani.



With the aforesaid observation, this application is disposed of.

**(Dinesh Kumar Singh, J)**

DKS/-

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