

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23648 of 2018

Arising Out of P.S.Case No. -5 Year- 2018 Thana -MAHILA P.S. District- BANKA

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Chhotka Soren, Son of Manjul Soren @ Manjal Soren, resident of
Village- Tilaru, P.S.- Bounsi, District- Banka.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mritunjay Prasad Singh

For the Opposite Party/s : Mr. Abhay Kumar - 1

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

3 17-05-2018

Heard learned counsel for the petitioner and the State.

The petitioner is in custody in connection with Bounsi
P.S.Case No.05 of 2018 (GR No.318 of 2018) pending in the
Court of ADJ-I, Banka registered for an offence under Section 4
of the POCSO Act.

The informant in her written report submitted before
SHO of Mahila police station, Banka has alleged that on
03.02.2018 this petitioner lifted her minor daughter aged about six
years on the pretext of feeding Kurkure and thereafter committed
rape on her.

Learned counsel for the petitioner submits that the
petitioner has been implicated on account of land dispute. The
informant in collusion with Chand Lal Soren want to take



possession of the land of the share of Budilal Soren and Babulal Soren which was being opposed by the petitioner.

The learned APP opposed the submissions.

On perusal of FIR and material in the case diary, it appears that this petitioner took the daughter of the informant aged about six years and committed rape on her. The daughter of the informant returned back and disclosed about the pain and bleeding from her private part, whereafter the informant lodged the present case. In course of investigation, the informant and a large number of witnesses have supported the allegation of committing rape by the petitioner. The victim was produced before the doctor for her medical examination. The doctor has also reported about the injury on her private part. The doctor has assessed the age of victim in between six to eight years. During her statement under Section 164 of the Cr.P.C. she has supported the allegation of rape against the petitioner. The undergarment was also found blood stained.

Considering the specific allegation of committing rape, I am not inclined to grant bail to the petitioner. Prayer for bail is rejected.

(Sanjay Kumar, J)

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