

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34538 of 2018

Arising Out of PS.Case No. -414 Year- 2017 Thana -BEGUSARAI MUFFASIL District-
BEGUSARAI

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1. Dularchand Kumar, Son of Deepak Paswan, Resident of Village - Raja
Dumri, P.S. - Muffasil (Lakho), District - Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Sumiran Rai

For the Opposite Party/s : Mr. Manoj Kumar

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 14-08-2018

Heard learned counsel for the petitioner and

learned APP for the State.

Petitioner seeks bail in a case registered for the offences punishable under Section 376 of the Indian Penal Code and Section 5/6, 7/8 of the Protection of Children from Sexual Offenses Act, 2012.

Allegation against the petitioner, who is cousin of the informant, is that she ravished to the 11 years old daughter of the informant when she was alone in her house on 02.09.2017. The victim has also supported the allegation.

Submission of the learned counsel for the petitioner is that the witnesses have stated before the police that due to property dispute, the present false case has been lodged. He further submits that there is delay of three days in lodging of the



FIR.

There is no document to substantiate property dispute prior to the present FIR. The delay in information to the police, in such matter, which not only a statement, which goes against the accused only, rather it affects the career of the victim also, is also immaterial.

Learned counsel for the informant opposed the prayer for bail.

Considering the seriousness of allegation, I am not inclined to enlarge the petitioner on bail in connection with Mufassil (Lakho) P.S. Case No. 414 of 2017 pending in the court of learned Spl. Judge POCSO Act, Begusarai. Hence, prayer for bail is refused.

Learned trial court is directed to expedite the trial.

(Birendra Kumar, J)

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