

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49963 of 2018

Arising Out of PS. Case No.-124 Year-2017 Thana- MAHUA District- Vaishali

RAM LAL MAHTO @ RAM LAL PATEL S/o Late Butan Mahto, R/o Vill.-
Sadapur, P.S.- Mahua, Distt.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar

For the Opposite Party/s : Smt. Pronati Singh

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 20-11-2018 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in Mahua P. S. Case No.
124 of 2017 instituted for the offence under Section 376 of the
Indian Penal Code and section 4/8 of the POCSO Act.

It is alleged against this petitioner that he committed
illegal act with the minor daughter of informant aged about 6
years 6 months old after taking her in his toddy shop. The
informant along with his wife and other villagers rushed to the
place of occurrence on hearing the cry of his daughter and saw
the occurrence and also saw the bleeding from the private part
of his daughter. The petitioner was apprehended with the help
of villagers.

The statement of victim girl has been recorded U/s



164 Cr.P.C. which is available at para 24 of the case diary, wherein, she has levelled specific allegation against this petitioner of committing rape with her. The victim girl has been medically examined, wherein, the doctor has assessed her age between six to eight and half years. The doctor has mentioned in the Medical report that recent sexual assault has been done with the victim.

Therefore, this Court is not inclined to grant bail to the petitioner at this stage. The prayer for bail of the petitioner stands rejected.

Learned counsel for the petitioner has submitted that petitioner is in custody since 16.5.2017.

Trial Court is directed to expedite the trial by giving short adjournments and make efforts to conclude the same as early as possible preferably within a period of nine months from the date of receipt of copy of this order.

(Sanjay Priya, J)

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