

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10960 of 2018

Arising Out of PS. Case No.-201 Year-2017 Thana- GARAUL District- Vaishali

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Luxman Ray @ Dukhan, Son of Shankar Ray @ Hari Ray, Resident of
Village- Sondho Dulh, P.S.- Goraul, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Mishra

For the Opposite Party/s : Mr. Sri Ajay Kumar -2

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR

ORAL ORDER

4 06-04-2018 Heard learned counsel for the petitioner and the
learned APP for the State.

Petitioner, already in custody, seeks bail in connection
with Goraul P.S. Case No.201 of 2017, registered under Section
376 of the Indian Penal Code as well as under Sections 4/8 of
the POCSO Act.

Allegation in brief is that the petitioner raped 10 years
old daughter of the informant in an agricultural field.

Learned counsel for the petitioner submits that there is
no eye witness to the occurrence and no spermatozoa was found
during medical investigation; whereas learned counsel for the
informant and state submit that girl in her statement has
supported the case and medical report shows commission of
rape, private part of the girl was badly damaged and she was



found bleeding profusely.

Having considered the aforesaid facts and circumstances, the prayer of bail of the petitioner is rejected in connection with Goraul P.S. Case No.201 of 2017 pending in the court of learned Additional Sessions Judge-I-cum-Special Judge, Hazipur, Vaishali.

(Arun Kumar, J)

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