

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.59463 of 2018

Arising Out of PS. Case No.-63 Year-2018 Thana- MAHNAR District- Vaishali

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Lallu Raut, Son of Vishwanath Raut, Resident of Vasudevpur Chandel, P.S.
Mahnar, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Soni Shrivastava

For the Opposite Party/s : Mr. Sri Brajendra Nath Pandey

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 06-10-2018 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in Mahnar P. S. Case No.
63 of 2018 instituted for the offence under Section(s) 363, 323,
376/34 Indian Penal Code and Section 4 of POCSO Act, 2012.

It is alleged in the written report that petitioner
committed rape with five year old daughter of the informant.

Learned counsel for the petitioner has submitted that
there is series of litigation between the parties on account of
land dispute. It has further been submitted that the mother of the
victim is habitual in filing the case. She has also filed complain
against the father of the petitioner for the offence under Section
376 of the IPC vide Complaint case no. 1805 of 2015.

Learned counsel for the State has submitted that



victim was medically examined just on the next date of the occurrence. The doctor has found hymen torn with bleeding and other injuries on her private part. The doctor has given the opinion that victim has experienced sexual assault and assessed her clinical age to be five years.

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

(Sanjay Priya, J)

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