

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58581 of 2018

Arising Out of PS. Case No.-45 Year-2017 Thana- RAJNAGAR District- Madhubani

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Ganesh Mandal S/o Vishe Mandal @ Shiv Mandal, R/o Vill.- Chhaprari, P.S.-
Rajnagar, District- Madhubani Under Gurdianship of his Father Vishe Mandal
@ Shiv Mandal, S/o Bechan Mandal R/o Vill.- Chhaprari, P.S.- Rajnagar,
Distt.- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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with

Criminal Miscellaneous No. 62107 of 2018

Arising Out of PS. Case No.-45 Year-2017 Thana- RAJNAGAR District- Madhubani

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Deepak Mandal, Son of Ram Dhan Mandal, Resident of Village- Chaprari,
Police Station- Rajnagar, District- Madhubani (under guardianship of the
father Ram Dhan Mandal, son of Yogi Mandal, resident of Village- Chaprari,
Police Station- Rajnagar, District- Madhubani).

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

(In Criminal Miscellaneous No. 58581 of 2018)

For the Petitioner/s : Mr. Gagan Deo Yadav

For the Opposite Party/s : Mr. Sri Abhay Kumar Roy

(In Criminal Miscellaneous No. 62107 of 2018)

For the Petitioner/s : Mr. Sudhir Kumar Thakur

For the Opposite Party/s : Mr. Sri Jai Narain Thakur

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 02-11-2018 Heard learned counsel for the petitioners and the

learned APP for the State.



Both the petition arise out of the same P.S. i.e. Raj Nagar P. S. Case no. 45 of 2017, and as such, they have been heard together and are being disposed of by this common order.

The petitioners seek bail in Raj Nagar P.S. case no. 45 of 2017 instituted for the offence under Section 376/34 of the Indian Penal Code and Section 4 of the POCSO Act.

It is alleged in the written report that informant had gone to attend the Baraat of granddaughter of Janka Mandal and his three years old daughter was alone in the house. The informant returned and saw that his daughter was crying and both the petitioners were running away from his house. He also found that blood was oozing from the private part of his granddaughter. He took his granddaughter for treatment in the Hospital.

The case diary has been received, wherein, the medical report of the victim is available. The doctor has found injury on the private part of the victim girl.

Learned counsel for the State has submitted that seizure list is available in the case diary, wherein, it is mentioned that semen was found on the undergarment of both the petitioners. This Court is of the view that serious crime is committed by these petitioners.



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

(Sanjay Priya, J)

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