

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56282 of 2018

Arising Out of PS.Case No. -53 Year- 2017 Thana -MAHILA P.S. District- SARAN

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1. Sharvan Mahto son of Mahaveer Mahto, resident of Village- Shobhepur
(Babhanganwan), P.S. Nayagaon, District- Saran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vinod Kumar

For the Opposite Party/s : Mr. Sri Sanjay Kumar Sharma

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 01-11-2018 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in Mahila P.S. Case No.
53/2017, instituted for the offence under Section 376 of the Indian
Penal Code read with Sections 3 and 4 of POCSO Act.

It is alleged by the informant, aged about 10 years,
that while she was returning from temple, this petitioner forcibly
took her towards northern Badhar of temple and after tying her
mouth committed rape with her.

Statement of victim girl has been recorded under
Section 164 Cr.P.C. wherein she has levelled specific allegation of
committing illegal act against this petitioner. Court below has
assessed the age of victim girl to be 11 years.



Victim girl has been medically examined, wherein doctor has found evidence of recent sexual intercourse. Doctor has assessed the age of victim girl to be between 16 to 17 years.

There is specific allegation against this petitioner.

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

The court below is directed to expedite the trial.

(Sanjay Priya, J.)

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