

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73414 of 2019

Arising Out of PS. Case No.-23 Year-2019 Thana- MAHILA PS District- Darbhanga

LAL BABU PARAMHANS Son of Late Sitaram Mahto Resident of Village -
Shisho (Paschimi), P.S.- Sadar (Mabbi O.P.), District - Darbhanga

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Thakur, Sr.Adv.
Mr.Nilesh Kumar
For the Opposite Party/s : Mr.Narendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 10-01-2020 Heard the parties.

The petitioner seeks regular bail in connection with Mahila (Sadar) P.S.Case No.23 of 2019 dated 26.3.2019 registered for offences punishable under Sections 376 and 506 of the Indian Penal Code and Sections 4/6 of the POCSO Act.

As per FIR, minor daughter of the informant was ravished in the Orchard and the villagers assembled there and saw the petitioner fleeing away from the place of the occurrence and she has also stated that earlier also she was ravished by the petitioner.

Submission of the learned counsel for the petitioner is that there is delay in lodging the FIR. Furthermore the medical report does not support allegation of rape and there was election



dispute between the parties from before and he is in custody for more than three months.

Heard learned A.P.P. as well as the learned counsel for the informant, who has opposed the prayer for bail stating that victim is minor and she has also supported the case in her statement under Section 164 Cr.P.C. and though the medical report shows that no dead or alive protozoa was found but the medical examination was held after three days .

Having heard both sides and in view of submission as made above, I am not inclined to grant privilege of bail to the petitioner.

Hence this application is dismissed.

(Vinod Kumar Sinha, J)

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