

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40601 of 2022**

Arising Out of PS. Case No.-25 Year-2018 Thana- TARABARI District- Araria

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Mahendra Singh @ Mahendra Prasad Singh, Son of Late Ram Lakhan Singh
Resident of Village - dubba Tola, Pategana, P.s.- Tarabari, Distt.- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gopal Kumar Jha, Advocate

For the Opposite Party/s : Mr. Manoj Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 18-10-2022 Heard learned counsel for the petitioner and the
learned APP for the State.

Let the defect(s) be removed within four weeks of the
complete start of the physical Court in normal course.

The petitioner is in judicial custody in connection
with Tarabari P.S. Case No.25 of 2018 instituted under Sections
354(B), 504, 506/34 of the Indian Penal Code and 8, 10 of the
POCSO Act.

As per the prosecution story, three years old child
went to the petitioner's shop to buy a chocolate but he took her
inside and injured her by cutting teeth in her chest and upon
hearing her cry, when the informant reached the place of



occurrence, it is alleged that the petitioner ran away.

The learned counsel for the petitioner straightaway made a request to call for the case diary in the matter.

The case was registered in the year 2018, to be precise on 13.03.2018 and the petitioner chose to walk into judicial custody only on 04.04.2022.

Considering the grave allegation that has come against him was trying to sexually assault the three years old child and the attitude of the petitioner in evading the arrest for four long years, this Court is not inclined to grant him any relief and the same is accordingly dismissed.

(Rajiv Roy, J)

Prakash Narayan /-

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