

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54927 of 2021**

Arising Out of PS. Case No.-37 Year-2019 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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Basu Mahto Son Of Surendra Mahto Resident Of Village- Parsauni, Wajid,
P.S.- Kalyanpur, District- East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Renu Devi Wife Of Vikram Mahto Resident Of Village- Parsauni, Wajid,
P.S.- Kalyanpur, District- East Champaran

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhishek Kumar

For the Opposite Party/s : Mr. Madhuri Lata

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 15-04-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been
filed by the petitioner apprehending his arrest in connection
with Complaint Case No. 37 of 2019 instituted for the offence
punishable under Sections 341, 323, 341, 342, 376/34 of the
Indian Penal Code and Sections 4 and 8 of the POCSO Act.

As per allegation in the FIR, when the daughter of the
informant was going to graze her she-goat, petitioner came there
and dragged her to a hut and committed rape.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has been falsely



implicated in this case. He has got no criminal antecedent. There is no medical report to support the prosecution story. Both parties are own pattidar and land dispute is going on between them. The alleged occurrence took place on 6.5.2019 but complaint has been registered on 13.5.2019 after a delay of a week without any plausible reason.

Learned APP appearing for the State has opposed the prayer of bail and submitted that there is direct allegation of committing rape against the petitioner upon a minor girl, aged about 10 years.

Having heard learned counsel for the parties and considering the fact that petitioner has committed heinous crime, I am not inclined to grant bail to the petitioner and, as such, his application for bail is rejected.

(Sunil Kumar Panwar, J)

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