

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59259 of 2023

Arising Out of PS. Case No.-41 Year-2023 Thana- MAHILA PS District- Khagaria

LALLU SINGH S/o- JOGI SINGH village- Balkunda ward no-2, Ps- Mansi
Dist- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Singh, Advocate
For the Opposite Party/s : Mr. Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 06-09-2023 Heard the parties.

2. The petitioner is an accused in connection with Mahila P.S. Case No. 41 of 2023 registered for the offences under sections 341, 342 and 376 of the Indian Penal Code and section 4 of the POCSO Act lodged on 25.05.2023 by the informant, Jagat Singh.

3. As per the prosecution story, the allegation is that when the informant's daughter went to attend nature's call, she was gagged and rape was committed. As she failed to return, the informant and his wife as also son went in search of her and found her weeping in a half constructed house of one Nanhu Singh, saw her in a bad condition and after putting cloth on her, brought her back. She gave the name of this petitioner who has committed rape. Accordingly, the FIR.



4. Learned Counsel for the petitioner submits that due to land dispute, he has been dragged in this case.

5. Mr. Shailendra Kumar, learned APP for the State took this Court to the observation of the learned Sessions Judge in which he has stated that the girl has supported the prosecution story subsequently under section 161 and 164 of the Cr.P.C.

6. Taking into account the allegation that has come against the petitioner which has been subsequently supported by the victim girl, no relief can be granted to him.

7. The bail application stands rejected.

(Rajiv Roy, J)

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