

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32066 of 2014

Arising Out of PS.Case No. -75 Year- 2014 Thana -KOILWAR District- BHOJPUR

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1. Manoj Sah @ Manoj Sao S/o Krishna Sao resident of village - Mahui
Balha, P.S. Koilwar District - Bhojpur, Ara

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uday Kumar

For the Opposite Party/s : Mr. Rajesh Kumar(App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 24-12-2014 Heard learned counsel for the petitioner and learned
counsel representing the State.

Petitioner seeks bail in connection with Koilwar P.S.
Case No. 75 of 2014 registered for the offences punishable under
Sections 376, 506 of the Indian Penal Code and Sections 3, 4 and
5 of Protection of Children from Sexual offences Act.

Allegedly, taking advantage of the absence of the
informant and her son, the petitioner took away the minor
daughter of the informant and committed rape with her.

Submission at the bar for release of the petitioner is
that due to pattidari dispute the case has been lodged, the doctor
has not found any sign of sexual assault to which the learned APP
opposes by pointing out that the doctor has not found the hymen
intact which goes to suggest that the victim girl was sexually

assaulted and the victim has supported the allegation in her statement recorded under Section 164 Cr.P.C.

In the facts and circumstances stated above and as the victim girl has supported the allegation of rape in her statement recorded under Section 164 Cr.P.C., this Court is not inclined to enlarge the petitioner Manoj Sah @ Manoj Sao on bail. Accordingly, prayer for bail of the petitioner in connection with Koilwar P.S. Case No. 75 of 2014 is rejected.

(Jitendra Mohan Sharma, J)

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