

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15081 of 2015

Arising Out of PS.Case No. -99 Year- 2014 Thana -HISUA District- NAWADA

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1. Upendra Kushwaha Son of Badri Kushwaha Resident of village -
Koriyar Chowk (Raxaul), P.S. Raxaul District - Motihari

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar

For the Opposite Party/s : Mr. Renu Kumari(App)

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

3 13-05-2015 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in connection with Hisua
P.S. Case No. 99 of 2014 registered for the offences punishable
under sections 366-A, 376-D read with 34 of the Indian Penal
Code and section 6 of the Protection of Children from Sexual
Offences Act, 2012.

The prayer for bail of the petitioner was earlier
rejected by this Court vide order dated 8th December, 2014 passed
in Cr.Misc. No. 43678 of 2014 on merits.

Regard being had to the fact that the victim, a minor,
has fully supported the allegation of rape made against the
petitioner in her statement under section 161 as well as under

section 164 of the Code of Criminal Procedure, I find no reason to take a different view of the matter. Accordingly, the application is dismissed.

It is surprising that though lower court records were not called for by this Court, the court below has sent lower court records along with the case diary.

Registry is directed to send back the lower court records and the case diary to the court below forthwith.

(Ashwani Kumar Singh, J)

Pradeep/-

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