

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45064 of 2014

Arising Out of PS.Case No. -81 Year- 2014 Thana -MANSI District- KHAGARIA

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1. Afrad Son of Md. Kayum Resident of Village - Pgango, Police Station - Mansi, District- Khagaria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Praveen Kumar Agrawal, Advocate.

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

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 30-03-2015 Heard both sides.

The petitioner seeks bail in Mansi P.S. Case No. 81 of 2014, registered for the offences punishable under Section 376 of the Indian Penal Code.

The victim made allegation that while she was washing clothes by the side of Kari Koshi river, the petitioner called her on pretext of lifting maize bundle and raped with her.

Learned counsel for the petitioner submits that the son and daughter of the victim were with the victim, but they have not been examined by the police during the course of investigation. The doctor did not find any sign of rape. The petitioner is rotting in jail since 14.05.2014.

It appears that the victim was with her minor son and

daughter aged about 7 and 6 years. She went to maize field on request made by the petitioner after crossing the river and thereafter the petitioner is alleged to have raped with her hence, I am not inclined to enlarge the petitioner above named on bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

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