

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55752 of 2015

Arising Out of PS.Case No. -40 Year- 2011 Thana -CHANAN
District- LAKHISARAI

Manish Kumar @ Mannu Kumar Ram @ Mannu Kumar
..... Petitioner/s

Versus

The State of Bihar
..... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arjun Pd. Keshri

For the Opposite Party/s : Mr. Smt. Sucheta

Ya.....

CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR
SAHOO

ORAL ORDER

2 16-12-2015 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner, namely, Manish Kumar @ Mannu
Kumar @ Mannu Kumar Ram, is in custody in Chanan P.S. Case
No. 40 of 2011 under Sections 452, 376 and 511 of the Indian
Penal Code.

The informant lodged the F.I.R. alleging that the
petitioner tried to commit rape on her. Learned counsel for the
petitioner submitted that, in fact, on the same date, another
occurrence took place, wherein this petitioner was assaulted by his
enemies, who are witnesses in the present F.I.R. lodged by the
informant and because of that, the said enemies of the petitioner

planted this lady, namely, Archana Bharti and this false case has been lodged against him.

On the other hand, learned counsel for the informant, Archana Bharti opposed the prayer for bail.

The description of the fact given by the informant is such that it cannot be read in the open Court and, therefore, I do not agree with the submission of learned counsel for the petitioner that this is only a case under Section 354 of the Indian Penal Code. Thus, the prayer for bail is, hereby, rejected.

Brajesh/-

(Mungeshwar Sahoo, J.)

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