

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10171 of 2015

Arising Out of PS.Case No. -221 Year- 2014 Thana -AURAI District- MUZAFFARPUR

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1. Manohar Paswan S/o Abdhesh Paswan Resident of village - Bakuchi,
P.S. Katra, Distt. - Muzaffarpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar @ S.K., Advocate.

For the Opposite Party/s : Mr. Mustaque Alam(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 06-04-2015 Heard both sides.

The petitioner seeks bail in Aurai P.S. Case No. 221 of 2014, registered for the offences punishable under Sections 395, 376(2)(G) of the Indian Penal Code and Sections 4/6 of the POSCO Act.

The informant named the petitioner along with other accused persons and alleged that they all committed dacoity in her house and also gang rape his daughter Gulnaz Khatoon.

Learned counsel for the petitioner submits that the petitioner is named in the First Information Report on the basis of conversation made by the dacoits among themselves. The petitioner was put on test identification parade, but Gulnaz Khatoon did not identify him.

It appears that Gulnaz Khatoon is daughter of the informant with whom the dacoits during the course of dacoity committed gang rape. The informed named the petitioner and the petitioner was put on test identification parade, but the informant was not brought for identification. From perusal of the case diary, it appears that two motorcycles were used in dacoity and one of them which was without registration number belonging to the petitioner was also recovered.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner on bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

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