

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12682 of 2015

Arising Out of PS.Case No. -77 Year- 2014 Thana -JANKINAGAR District- PURNIA

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1. Jitendra Mahto Son of Late Shobhit Lal Mahto, Resident of Rampur Tilak, P.S. Janki Nagar, District - Purnea.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Manisha Kumari, D/o Ray Bahadur Mahto, Resident of Village - Rampur Tilak, P.S. - Janki Nagar, District - Purnea.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar

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

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

5 24-08-2015

Heard both sides.

The petitioner seeks bail in a case registered for the offences punishable under sections 376 of the Indian Penal Code.

The prosecutrix made allegation that while she was returning from school, the petitioner and two others committed rape with her.

It is submitted that on the date of occurrence the school was closed. There is no question that prosecutrix went to school for admission. The petitioner was brutally assaulted and an injury was caused in his eyes. The Doctor found no sign of rape but on perusal of the record it appears that the

prosecutrix as well as witnesses have supported the factum of occurrence that the petitioner ravished the prosecutrix.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner on bail in connection with Janki Nagar P.S. Case No. 77 of 2014 pending in the court of the learned Sub-divisional Judicial Magistrate, Purnea. This application for bail is, accordingly, rejected.

(Prabhat Kumar Jha, J)

Amin/-

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