

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17282 of 2015

Arising Out of PS.Case No. -261 Year- 2014 Thana -ROSEIRA District- SAMASTIPUR

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SHYAM YADAV SON OF DHODHAI YADAV, RESIDENT OF
VILLAGE- RAJWARA, P.S.- KHANPUR, DISTRICT- SAMASTIPUR

.... PETITIONER/S

VERSUS

THE STATE OF BIHAR

.... OPPOSITE PARTY/S

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Appearance :

For the Petitioner/s : Mr. Suneil Kumar Thakur, Adv.

For the Opposite Party/s : Mr. Hirday Prasad Singh (App)

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

3 22-06-2015 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor.

Instant case has been registered at the behest of
Maula Devi, mother of alleged victim Phulo Devi who became
traceless. Phulo Devi was subsequently traced out and, during
course of her statement under Section 164 Cr.P.C. against the
petitioner to be her rapist.

It has been submitted on behalf of petitioner that from
perusal of her statement it is apparent that she happens to be a
consenting party and that being so, being a major aged about 20
years as is evident from medical report, petitioner should be
released on bail.

The learned Additional Public Prosecutor opposed the
prayer.

Considering the statement of the victim prayer for
bail is rejected.

(Aditya Kumar Trivedi, J.)

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