

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10195 of 2015

Arising Out of PS.Case No. -190 Year- 2013 Thana -CHENARI District- SASARAM (ROHTAS)

Rakesh @ Rakesh Kumar Mahato Son of Sri Bijan Chand Mahato resident
of Mohalla - 114 Co - Operative Colony, P.S. Bokaro Steel City, District -
Bokaro, State - Jharkhand

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prithivi Raj Singh

For the Opposite Party/s : Mr. Sahin Begum(App)

CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

3 27-05-2015 Heard counsel for the petitioner learned APP for the State.

The petitioner is facing prosecution under section 366-A
IPC and seeks the privilege of anticipatory bail.

It is stated that the petitioner has not been cited as an
accused. The girl on recovery while making statement u/s 161 Cr.
P.C. did not implicate him. However, in course of her statement
recorded under section 164 CR. P.C. she implicated the petitioner.
The petitioner, therefore, deserves to be released on anticipatory
bail.

Counsel for the informant opposed the prayer and pointed
out that the girl in her statement made under section 164 Cr. P.C.
sated that the petitioner and others sexually assaulted her on few

occasions.

Regard being had to the allegation and the materials evidencing from the record, I do not find it a fit case for grant the privilege of anticipatory bail. The prayer for bail on behalf of the petitioner is rejected. The petitioner must surrender and pray for regular bail in the court below which shall be considered and disposed of on its own merit in accordance with law.

(Kishore Kumar Mandal, J)

HR/-

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