

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14957 of 2016

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

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Manohar Paswan, Son of Awadhesh Paswan, resident of village - Bakuchi,
P.S. Katra, District - Muzaffarpur

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Ganesh Prasad Singh, Advocate

For the Opposite Party : Mr. R.S.Choudhary(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 28-09-2016

Heard both sides

The petitioner seeks bail in Aurai P.S. case no. 221 of 2014 registered under Sections 395, 376(2)(g) of the Indian Penal Code and Sections 4 and 6 of POCSO Act.

The informant named the petitioner along with other accused persons and alleged that they committed dacoity in her house and also committed gang rape of her daughter namely Gulnaz Khatoun. The prayer for bail of the petitioner was rejected vide order dated 06.04.2015 passed in Cr. Misc. no. 10171 of 2015. Petitioner filed this petition for grant of bail on the ground that similarly situated co-accused Pravin Paswan has been granted bail vide order dated 12.02.2016 passed in Cr. Misc. no. 54254 of 2015. The case of the petitioner stands on the same footing but on

perusal of the record, it appears that the informant named the petitioner and there is specific allegation that petitioner along with others committed rape with the minor daughter of the informant.

Considering the facts and nature of allegation, I am not inclined to enlarge the abovenamed petitioner on bail and accordingly, the same is rejected.

Since the trial of the petitioner is not being held because the petitioner filed a petition that he is a juvenile and the record of the petitioner was sent to Juvenile Justice Board for assessment of his age, the Juvenile Justice Board is directed to conclude the inquiry within four months.

(Prabhat Kumar Jha, J.)

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