

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 57625 of 2015

Arising Out of PS.Case No. -118 Year- 2015 Thana -JALALPUR District- SARAN

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Deo Nath Manjhi son of Late Ghamandi Manjhi resident of Village- G.S.
Bangra, Police Station- Jalalpur, District- Saran (Chapra).

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra

For the Opposite Party/s : Mr. C.Jawahar(App)

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2. 19-01-2016 Heard Sri Bashistha Narain Mishra, learned counsel,
who was assisted by Sri Brij Kishor Mishra, learned counsel for
the petitioner and learned Addl. Public Prosecutor.

The petitioner, who is in custody only since
21-09-2015 in Jalalpur P.S. Case no. 118 of 2015 registered for
the offence under Sections 376/511 of the Indian Penal Code and
Section 8 of the Protection of Children from Sexual Offences Act,
2012, has prayed for grant of bail.

Learned counsel for the petitioner submits that after
institution of case, statement of victim was recorded under Section
164 of the Cr.P.C., wherein she had not alleged any act suggesting
to attempt to commit rape and as such, he makes a prayer for grant
of bail.

On perusal of the F.I.R. as well as statement of the victim recorded under Section 164 of the Cr.P.C., it is evident that victim is about 12-14 years old and she had made specific statement against the petitioner.

In view of the facts and circumstances, particularly; the period of custody, at the moment, the Court is not inclined to grant bail.

The petition stands dismissed.

(Rakesh Kumar, J.)

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