

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8081 of 2016

Arising Out of PS.Case No. -8 Year- 2015 Thana -CHANPATIA District-
WESTCHAMPARAN(BETTIAH)

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1. Dilip Mahto Son of Late Lootan Mahto Resident of Village - Tikuliya,
P.S. - Chanpatiya, District : - West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ambika Bhagat

For the Opposite Party/s : Mr. S.M.Rahman(App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

4 20-06-2016 Heard the learned counsel for the petitioner as well as

the learned A.P.P for the State.

The petitioner seeks bail in a case for the offences
punishable under section 376/34 of the I.P.C and section 6 of the
Protection of Children from Sexual Offences Act, 2012.

Allegedly, the petitioner and co-accused after taking
away the informant from her house brought her to Lauriya, there
both committed rape with her on two days.

Submission is of false implication and that the
petitioner has been made accused due to enmity, he has got no
criminal antecedent, he is suffering in custody since 08.01.2016,
medical evidence does not support the prosecution version, co-

accused has already been allowed bail and as such the petitioner deserves sympathetic consideration.

The learned A.P.P. opposes prayer for bail by submitting that the petitioner remained absconding and to secure his attendance his property has also been attached.

In the facts and circumstances as stated above, at present I am not inclined to enlarge the petitioner on bail and accordingly his such prayer stands rejected in connection with Chanpatiya P.S. Case No. 08 of 2015 pending in the court of the Additional Sessions Judge-1 Cum Special Judge, Bettiah, West Champaran.

However, the petitioner may renew his prayer for bail after remaining in custody for nine months from the date of his remand.

(Jitendra Mohan Sharma, J)

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