

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.19676 of 2016

Arising Out of PS.Case No. -21 Year- 2016 Thana -KORHA District- KATIHAR

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1. Manoj Sah S/o Jago Sah Resident of village- Bhakharikol, P.S.- K. Nagar, District- Purnea Petitioner

Versus

1. The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Raghvendra Kumar Singh

For the Opposite Party/s : Mr. Satyavrat Verma(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

3 29-06-2016

Heard learned counsel for the petitioner and learned counsel representing the State.

The petitioner seeks bail in connection with Korha P.S. Case No. 21 of 2016 registered for the offence punishable under Section 376 of the Indian Penal Code.

Allegedly, the informant being a student of Convent Teaching Centre run by the petitioner, was called by the petitioner to provide her guess paper and then the petitioner started committing rape with her, resulting, the informant started crying and then after hearing the sound, her brother came and then the petitioner started fleeing away with motorcycle but he fell down from the motorcycle and received some injury and ultimately was caught and was handed over to Police by villagers.

Submission is of false implication and that the informant is major, due to political rivalry the petitioner has been

implicated, during investigation vide annexure 27 of the case diary it has come that the informant was not the student of coaching centre and there was love affairs and further spermatozoa was not found during medical examination and the petitioner is suffering in custody since 30.01.2016.

Learned APP opposes the prayer of bail by submitting that the informant in her statement recorded under Section 164 Cr.P.C. has supported the allegation and further the doctor has reported that the victim has been used for sexual intercourse.

In the facts and circumstances stated above, considering the allegation attributed against the petitioner serious in nature, this Court is not inclined to enlarge the petitioner on bail, accordingly, his such prayer stands rejected.

(Jitendra Mohan Sharma, J)

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