

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48486 of 2016

Arising Out of PS.Case No. -90 Year- 2016 Thana -MARKAHI District- -

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PRAHLAD KUMAR S/O SHATRUDHAN CHOUDHARY RESIDENT
OF VILLAGE- KOYLADIH, P.S.- MORKAHI, DISTRICT- KHAGARIA

.... PETITIONER/S

VERSUS

THE STATE OF BIHAR

.... OPPOSITE PARTY/S

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Appearance:

For the Petitioner/s : Mr. Ranjeet Kumar Singh, Adv.

For the Opposite Party/s : Mr. Smt. Anita Kumari

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

2 14-12-2016 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor.

Rape has been committed by the petitioner over a
girl aged about 13 years.

Learned counsel for the petitioner drew attention
towards Annexure-3, petition filed by the informant who
happens to be father of victim disclosing therein that victim
had not disclosed name of assailant but he had named on
account of disclosure having been made by the persons
assembled there along with statement of the victim (Annexure-
2) having been recorded under Section 164 Cr.P.C. wherein
also she had not named her assailant. So submitted that
petitioner should be released on bail.

The learned Additional Public Prosecutor opposed
the prayer.

The statement under Section 164 Cr.P.C. is
influenced by Annexure-3 and on account thereof, found to be
suspicious one.



Consequent thereupon, prayer for bail is rejected
at this stage.

(Aditya Kumar Trivedi, J.)

Prakash Narayan

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