

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.54156 of 2016

Arising Out of PS.Case No. -494 Year- 2015 Thana -SIMRI BAKHTIARPUR District- SAHARSA

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Indra Deo Rishideo @ Indradeo Sada, Son of Dileshwar Rishideo, Resident
of Village- Bhawdeva P.S.- Bakhtiyarpur (Balwa O.P.) Dist.- Saharsa.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Chandra Mohan Jha, Advocate

For the Opposite Party/s : Mr. Sri Shantanu Kumar

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

ORAL ORDER

2 21-12-2016 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner wants to renew his prayer of bail, which
was earlier rejected vide order dated 23.06.2016 passed in Cr.
Misc. No. 15853 of 2016, on the ground that the petitioner is
suffering in custody since 02.01.2016, he is not named in the first
information report, the Police after investigation submitted final
form against him and he was not sent up for trial. The victim girl
has named the petitioner also, resulting, he is suffering in custody.
The medical evidence also does not support the allegation of rape
as no definite evidence of rape was found.

Learned APP opposes the prayer of bail by submitting
that the victim girl in her statement recorded under Section 164
Cr.P.C. has stated the name of the petitioner also stating that



the petitioner and others committed illegal acts with her.

In the facts and circumstances stated above, considering the allegation attributed against the petitioner, at present, finding no good ground for reconsideration of prayer for bail of the petitioner, again his prayer for bail stands rejected in connection with POCSO Case No. 02 of 2016 arising out of Bakhtiyarpur (Balwa Hat O.P.) P.S. Case No. 494 of 2015.

However the petitioner may be at liberty to renew his prayer of bail after examination of the victim girl.

(Jitendra Mohan Sharma, J)

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