

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39851 of 2016

Arising Out of PS.Case No. -77 Year- 2016 Thana -MAHILA P.S. District- NALANDA
(BIHARSHARIFF)

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1. Anandi Mahto Son of Late Janki Mahto resident of Village- Gonawan,
P.S.- Harnaut, District- Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Prasad

For the Opposite Party/s : Mr. Matloob Rab

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

3 01-12-2016 Heard both sides.

The petitioner seeks bail in Mahila P.S. case No. 77
of 2016 under Section 376 of the Indian Penal Code and under
Section 4/8 of the POCSO Act.

The mother of the victim alleged that victim
disclosed that petitioner committed rape with her in between
15.05.2016 to 26.06.2016.

The learned counsel for the petitioner submits that
petitioner is an old man, aged about 70 years. Suresh Ram had
assaulted the petitioner and for that petitioner filed Harnaut P.S.
case No. 204 of 2015 against Suresh Ram. Suresh Ram was
pressurizing the petitioner to compromise the case. Suresh Ram is



relative of the informant and that is why this false case has been lodged. The victim did not make any statement before the police but it appears from perusal of the records that the victim made her statement under Section 164 of the Cr. P. C. which is recorded in paragraph 26 of the case diary and she disclosed that petitioner repeatedly committed rape with her. The victim is aged about 10-11 years.

Considering the facts aforesaid and the nature of allegation made against the petitioner, I am not inclined to enlarge the petitioner on bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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