

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5175 of 2017

Arising Out of PS.Case No. -56 Year- 2015 Thana -MAHILA P.S. District- BANKA

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1. Md. Kainul @ Md. Kayum, Son of Md. Wahid, Resident of village -
Muslim Tola, Katiyama, P.S. Rajoun, District - Banka

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Nurul Hoda

For the Opposite Party/s : Mr. Suresh Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 16-02-2017 Heard the parties.

This application is for grant of bail in connection with Mahila P.S. banka P.S.Case No.56 of 2015 for the offence under Sections 376(2)(i) of the Indian Penal Code and 4/6 POCSO Act.

It is submitted on behalf of the petitioner that there is allegation against the petitioner of commission of rape upon the victim girl but as a matter of fact a large number of cases are going on in between the parties and just to pressurize the petitioner, the family members of the daughter-in-law has got this case instituted against the petitioner and further there is a contradiction between the FIR and the statement made under Section 164 Cr.P.C and the petitioner is in custody for about seven months.



Heard learned A.P.P. also, who has opposed the prayer for bail.

Having heard both sides. In view of the fact that there is direct allegation against this petitioner and that too supports the statement made under Section 164 Cr.P.C., I am not inclined to grant bail to the petitioner.

Accordingly, this application is dismissed.

(Vinod Kumar Sinha, J)

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