

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48840 of 2016

Arising Out of PS.Case No. -127 Year- 2016 Thana -SISWAN District- SIWAN

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1. Santosh Mahato Son of Kashinath Mahato resident of Village- Nawada,
P.s.- Chainpur (Siswan O.P.), District- Siwan.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arbind Kumar Singh

For the Opposite Party/s : Mr. Sri Ram Bilash Roy Raman

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 16-01-2017

Heard learned counsel for the petitioner as well as

learned Addl. Public Prosecutor.

The application is for grant of bail in connection with Sishwan PS case no. 127/2016 for the offence under Sections 363, 376/34 of the Indian Penal Code and 4/6 of POSCO Act.

It is submitted on behalf of petitioner that so far allegation is concerned, there is difference between FIR and the statement made under Section 164 of Code of Criminal Procedure. It is further submitted that even in statement under Section 164 of Code of Criminal Procedure, she has not named this petitioner and there is no allegation of rape against him in this case. It is further submitted that petitioner is in custody for about four and half months.



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

Having heard both sides. From perusal of record, it appears that petitioner along with others has been apprehended and the victim girl was recovered from them. In view of the aforesaid facts and circumstances of the case, I am not inclined to grant bail to the petitioner. As such, his prayer for bail rejected at this stage. However, learned lower court is directed to expedite the trial of the case.

(Vinod Kumar Sinha, J.)

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