

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34573 of 2017

Arising Out of PS.Case No. -142 Year- 2017 Thana -KODHA District- KATIHAR

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1. Ajay Kumar Mandal @ Ajay Mandal Son of Narad Mandal @ Karu Mandal, R/o Village- Gerabari Basti , P.S.- Korha, District- Katihar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Jha

For the Opposite Party/s : Mr. Smt. Reena Sinha

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 28-07-2017 The petitioner seeks regular bail in connection with Korha P.S. Case No. 142 of 2017, registered for offences punishable under Section 376 of the Indian Penal Code and Section 4 of POCSO Act.

Allegation against the petitioner is of committing rape on the informant on the assurance of marriage.

It has been submitted on behalf of the petitioner that statement of girl itself shows that she is a major and further the F.I.R. also itself show that the informant was consenting party and, therefore, no offence under the above mentioned sections of Indian Penal Code is made out against the petitioner. Further petitioner has been in judicial custody since 20.05.2017.

Heard learned A.P.P. also.

Having heard both sides, considering the fact and circumstances of the case and nature of allegation, I am not



inclined to release the petitioner on bail, his application for regular bail is, accordingly, rejected at this stage.

However, the petitioner may renew his prayer for bail after framing of charge in this case.

(Vinod Kumar Sinha, J)

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