

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47502 of 2016

Arising Out of PS.Case No. -38 Year- 2016 Thana -MAHILA PS District- BUXAR

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Binod Mahto @ Binod Kumar Mahto Son of Ram Nath Mahto resident of
Village- Nandan Police Station Dumraon District Buxar (Bihar).

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Roy

For the Opposite Party/s : Mr. Vinod Shankar Modi

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

3 13-02-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is accused in connection with POSCO
Case No. 12 of 2016 arising out of Buxar Mahila P.S. Case No. 38
of 2016 registered under sections 448, 376, 341, 323, 504, 506 of
the I.P.C. and 4/5 and 6/8 of POSCO Act pending in the Court of
A.D.J.-1st, Buxar.

The accusation is of establishing physical relation
forcibly with the victim girl aged about 14-15 years, daughter of
the informant, due to which, she became pregnant.

Submission is that petitioner is innocent and has
falsely been implicated in this case due to enmity. It is also
submitted that petitioner is in custody since 03.06.2016.



Learned A.P.P. appearing on behalf of the State opposed the prayer of the petitioner with submission that petitioner is named in the F.I.R. and the victim, in her statement recorded under section 164 Cr. P.C., specifically stated that the petitioner made illicit relation with her forcibly.

Having considered the facts and circumstances of the case and nature of allegation, I am not inclined to allow the prayer of the petitioner for bail. Accordingly, this application is rejected.

(Arvind Srivastava, J)

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