

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50800 of 2016

Arising Out of PS.Case No. -64 Year- 2016 Thana -MAGADH UNIVERSITY District- GAYA

- =====
1. Ram Prasad Manjhi, son of late Gariban Manjhi, resident of village- Shivrajpur, Police Station- M.U. Bodhgaya, District Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Advocate

For the Opposite Party/s : Mr. Braj Kishore Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 10-01-2017

Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The Petitioner seeks bail in M.U. P.S. Case No.64 of 2016 instituted for the offence under Section(s) 366-A, 376 Indian Penal Code and Section 4/6 of POCSO Act.

The prosecution case as per the written report of the informant is that on the date of occurrence at 8.30 AM while she was going to school from her house and reached near Bhola Bigha More, the petitioner surrounded her from front and forcibly got her seated in the motorcycle and gave threatening to kill her if she will raise halla. Thereafter, he took her to some unknown place and kept her in a hotel in the night and forcibly established physical relationship with her. It is alleged that in the morning the



petitioner dropped the informant at her house and fled away. She told about the occurrence to her parents.

Statement of the victim girl recorded under Section 164 Cr. P. C. is available at paragraph 25 of the case diary. The victim girl has levelled specific overt act against the petitioner and fully supported the occurrence as mentioned in the written report. The medical report of the victim girl is available at paragraph 26 of the case diary. The doctor has assessed the age of the victim girl as 16-17 years. The victim in her restatement at para 4 and other witnesses in para 5, 7, 8, 9 have supported the allegation of kidnapping the minor daughter of the informant and establishing physical relationship with her.

In view of specific and serious allegation against the petitioner, this Court is not inclined to grant bail to the petitioner.

Prayer is rejected.

(Sanjay Priya, J)

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