

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 55293 of 2016

Arising out of P.S. Case No. - 39 Year - 2016 Thana - MEHDIGANJ District - PATNA

- =====
1. Naresh Mahto
 2. Santosh Mahto
 3. Guddu Mahto, All sons of Late Mahendra Mahto
 4. Rocky Kumar, S/o Suresh Mahto, All resident of Village - Ranipur
Khidaki Kali Mandir, P.S. - Mehdiganj, District - Patna

.... Petitioners

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Sunil Kumar, Advocate

For the Opposite Party : Smt. Gulnar Begam, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 03-03-2017 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 328, 376 and 302/34 of the Indian Penal Code.

Allegation in the FIR is that the petitioners, allegedly, committed rape against Piri Kumari, aged about 17 years, the sister of the informant as also committed her murder by assaulting her with some iron rod on the back side of head. This fact was disclosed to the informant by the victim while she was being carried to the hospital.

The Doctor who conducted post-mortem examination



found sign of rape and cause of death as injury caused on the head of the victim.

Submission of the petitioners is that the witnesses have stated before the police that the victim died due to fall from a motorcycle of Gorakh Yadav.

Considering the nature of material against the petitioners, I am not inclined to grant them anticipatory bail in connection with Mehdiganj Police Station Case No. 39 of 2016 pending in the Court of learned Additional Chief Judicial Magistrate, Patna City, Patna.

Hence, prayer for bail is refused.

(Birendra Kumar, J)

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