

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8340 of 2017

Arising Out of PS.Case No. -168 Year- 2016 Thana -BAHERI District- DARBHANGA

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1. Mintu Kumar, Son of Ram Sewak Mandal, resident of Village-Baghouni, Police Station- Baheri, in the District of Darbhanga (Bihar).

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satyendra Narayan Singh

For the Opposite Party/s : Mr. Sri Mritunjay Kumar Nirala

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

5 22-05-2017 Heard learned counsel for the petitioner as well as learned A.P.P. for the State.

The petitioner seeks bail in connection with Baheri P.S. Case No. 168/2016, registered for the offences punishable under Section 376 of the Indian Penal Code and Sections 3, 4 and 8 of POCSO Act.

Allegedly, the petitioner committed rape with the daughter, aged about 14 years of the informant. Earlier also he has committed such occurrence.

Submission is of false implication and that both parties are on litigating term. They are filing cases after cases against each other. The petitioner has falsely been implicated in the case. No such occurrence has taken place. The doctor has not found



prosecution story true. The petitioner is in custody since 20.12.2016 and as such, he deserves sympathetic consideration.

Learned A.P.P. duly assisted by the learned counsel for the informant vehemently opposes the prayer for bail by submitting that the petitioner being in jail has got lodged a complaint case from his wife against all the family members of the informant including the victim. The trial is going on and it is likely to be concluded.

In the facts and circumstances, stated above, considering the allegation made against the petitioner, I am not inclined to enlarge the petitioner, above named, on bail. Accordingly his such prayer stands rejected.

(Jitendra Mohan Sharma, J.)

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