

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1991 of 2017

Arising Out of PS.Case No. -33 Year- 2017 Thana -MATIHANI District- BEGUSARAI

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Mantoon Mahton @ Mantun Mahto, S/o Prem Mahton, Resident of
Village- Matihani Kharidi, P.S. Matihani, District- Begusarai.

.... Appellant

Versus

The State of Bihar.

.... Respondent

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Appearance :

For the Appellant/s : Mr. Pramod Kumar Singh

For the Respondent/s : Mr. Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 24-07-2017 Heard learned counsel for the appellant and learned
Special P.P.

This appeal has been filed for setting aside the order
the order dated 16.5.2017 passed by Special Judge, SC/ST Act,
Begusarai, arising out of Matihani P.S.Case No. 33 of 2017 for the
offences under Sections 376, 511 of the Indian Penal Code and
3(I)(w)(i) of Scheduled Castes and Scheduled Tribes (Prevention
of Atrocities) Act and for grant of bail to the appellant.

Allegation against the appellant is of attempting to
commit rape upon the informant.

It has been submitted on behalf of the appellant that
appellant is mentally sick, which will appear from his behaviour
also mentioned in the FIR that he was also necked while



attempting to commit rape and it is quite abnormal and he is in custody for more than four months.

Learned Special P.P. has opposed the prayer for bail.

Having heard both sides and considering the facts and circumstances and circumstances, I am not inclined to grant bail to the appellant at this stage. He may renew his prayer for bail after framing of charge in this case.

Accordingly, this appeal is dismissed.

(Vinod Kumar Sinha, J)

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