

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2407 of 2017

Arising Out of PS.Case No. -69 Year- 2015 Thana -MEHDIGANJ District- PATNA

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Prakash Mani, S/o Rohit Sah, R/V-Mansa Ram Ka Akhara, P.S.-
Mehandiganj, Dist.-Patna

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar Sinha

For the Opposite Party/s : Mr. Anuj Kumar Srivastava

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 22-02-2017 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 376(2)(g), 354, 34 of the
Indian Penal Code and Sections 4, 5 and 6 of POCSO Act.

Earlier the prayer for bail of the petitioner was
rejected by this Court vide order dated 22.06.2016 passed in Cr.
Misc. No. 25224 of 2016 taking note of allegation levelled against
the petitioner but submission on behalf of the petitioner is that the
victim was examined before the trial court as prosecution witness
no. 2 but she did not support the story of gang rape and apart from
this, the parents of victim have also not supported the prosecution
case.



No doubt, the victim had made statement of gang rape against the petitioner and other accused in her statement recorded under Section 164 of the Cr.P.C. in course of investigation but when she stood before the trial court, she took U turn.

Therefore, considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge-I, Patna in connection with Special (POCSO) Case No. 150 of 2015 arising out of Mehandiganj P.S. Case No. 69 of 2015.

(Hemant Kumar Srivastava, J)

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