

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1116 of 2017

Arising Out of PS.Case No. -85 Year- 2016 Thana -KASHICHAK District- NAWADA

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1. Mukesh Mahto @ Mukesh Kumar Kushwaha son of Jogeshwar Mahto
resident of village - Bhatta, P.S. - Kashi Chak, and District - Nawada.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Bhim Sen Prasad

For the Respondent/s : Sri Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 01-07-2017

The appellant seeks pre-arrest bail in connection with Kashichak P.S. Case No. 85 of 2016 registered for the offences punishable under sections, 376/34 of the Indian Penal Code and sections 3 (xi) (xii) of the SC/ST Act.

Submission of the learned counsel for the appellant is that the appellant has falsely been implicated in this case and no such occurrence has taken place.

Heard learned Special Public Prosecutor. Learned Special Public Prosecutor opposed the prayer for bail of the appellant stating that the FIR itself shows that the appellant has committed rape on the informant and as such, this appeal is not maintainable.

Having heard both sides and in view of the above



facts and circumstances of the case, this appeal is not maintainable. Let the appellant surrender before the Special Court and make prayer for regular bail, which will be considered by the Special Court if possible on the same day without being prejudiced by the order of this Court.

With the above observation, this appeal is disposed of.

(Vinod Kumar Sinha, J)

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