

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.73915 of 2018

Arising Out of PS. Case No.-527 Year-2018 Thana- SONEPUR District- Saran

Deepak Mahato @ Deepak Kumar son of Butan Mahto, resident of Village-
Porai Parshurampur, P.S.- Dariyapur, District- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Singh

For the Opposite Party/s : Mr. Sri Iftekhar Mahmood

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 17-12-2018 Heard the parties.

The petitioner seeks regular bail in connection with Sonepur P.S.Case No.527 of 2018 dated 2.6.2018 registered for offences punishable under Sections 376/34 of the Indian Penal Code and Sections 4, 16 of the POCSO Act corresponding to POCSO Case No.40 of 2018.

Allegation against the petitioner is that he has kidnapped the minor informant and took away her in the *Kanti* Factory and she was subjected to rape by the petitioner and others.

Submission of the learned counsel for the petitioner is that in the statement recorded under Section 164 Cr.P.C. she has not named the petitioner as the person who has committed rape upon her and further the Doctor in the medical



examination has found no sign of rape and the petitioner has been falsely implicated due to money dispute. He is in custody for six months.

Heard learned A.P.P. and the learned counsel for the informant. They have opposed the prayer for bail stating that there is allegation of rape on the minor informant.

Having heard both sides and in view of the facts and circumstances, as stated above, I am not inclined to grant bail to the petitioner.

With the aforesaid observation, this application is dismissed.

(Vinod Kumar Sinha, J)

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