

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24000 of 2018

Arising Out of PS. Case No.-30 Year-2017 Thana- MAHILA PS District- Khagaria

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Manna @ Munna Kumar Yadav @ Mannu Kumar @ Manna Kumar Yadav
son of Dhaneshwar Yadav resident of village - Leva, P.S. - Maheshkhunt,
District - Khagaria.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Singh
For the Opposite Party/s : Mr. Sri Yogendra Kumar

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

5 18-07-2018 Heard learned counsel for the petitioner and the
learned APP for the State.

Petitioner, already in custody, seeks bail in connection
with Mahila P.S. Case No.30 of 2017 (G.R. No.1986A/2017)
registered under Sections 376/313/34 of the Indian Penal Code
as well as under Sections 3/4 of the POCSO Act.

Allegation in brief is that ten days back to the
institution of the present case, both daughters of the informant
had gone to attend the call of nature and on the same day the
petitioner had committed rape with the elder daughter, it is also
alleged that later on also got her pregnancy terminated.

Learned counsel for the petitioner submits that as per
allegation both daughters were present there but no information



was given, the case was instituted after lapse of seven days, there is no evidence regarding termination of pregnancy, it also transpired during investigation that the informant had taken loan from the petitioner's father and on account of that false accusation was made, it is also submitted that there is no medical evidence to support the allegation of rape and the petitioner has been in custody for approximately last one year.

Having considered the aforesaid facts and circumstances, petitioner Manna @ Munna Kumar Yadav @ Mannu Kumar @ Manna Kumar Yadav is directed to be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge, 1st, Khagaria in connection with Mahila P.S. Case No.30 of 2017 (G.R. No.1986A/2017).

(Arun Kumar, J)

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