

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47471 of 2018

Arising Out of PS. Case No.-13 Year-2017 Thana- HARLAKHI District- Madhubani

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Arun Mandal, S/o Late Vijay Mandal, Resident of Village- Kamlawarpatti @
Kamalapatpatti, P.S. Harlakhi, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha
For the Opposite Party/s : Mr. Dilip Kumar

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 16-08-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Section 376 (D) of the Indian Penal
Code and Section 8 of POCSO Act.

Allegation against the petitioner is of commission
of rape along with another person on the informant, who is a
minor girl. The victim has supported the aforesaid allegation in
her statement under Section 164 of the Criminal Procedure
Code and thereafter, in examination-in-chief before the trial
court. Even, before the trial court she named the rapist including
the petitioner in her examination-in-chief. However, in her
cross-examination she stated that the accused standing in court
is not known to her.



The aforesaid anomaly is subject matter of trial.

Considering the nature of allegation, I am not inclined to enlarge the petitioner, above named, on bail in connection with Harlakhi Police Station Case No.13 of 2017.

(Birendra Kumar, J)

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