

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.451 of 2018

Arising Out of PS.Case No. -22 Year- 2017 Thana -MAHILA P.S. District- SEKHPURA

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Rajeev Mahto @ Rajib Mahto, son of Nawal Ram, resident of Village-
Musahari Police Station Chandi, District Nalanda.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rabindra Prasad Singh, Advocate

For the Opposite Party/s : Mr. Rana Randhir Singh, APP

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 18-01-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner, who is in custody, seeks bail in connection with Sheikhpura (Mahila) P.S. Case No. 22 of 2017 registered for the offence punishable under Section 376 of the Indian Penal Code and Section 04 of POCSO Act, 2012.

Informant in her written statement has stated that on 13.06.2017 her daughter aged about 8 years was alone in her home, after getting lonely her second son-in-law raped her daughter, when she returned her home and saw that the cloth of her daughter was in blood, she asked her daughter about this, then she replied that in the room he raped her.

Learned counsel for the petitioner submitted that



petitioner is innocent and has been falsely implicated in this case by the informant due to family dispute and has further submitted that petitioner has no criminal antecedent and he is in custody since 14.06.2017

From perusal of the record and case diary it appears that all have supported the allegation levelled against the petitioner and also statement of victim girl was recorded under Section 164 Cr.P.C. in which she stated her age 8 years and petitioner raped her in a room. The allegation against the petitioner is serious in nature, considering the aforesaid facts and circumstances of the case, I am not inclined to grant bail to the petitioner at this stage. Accordingly the prayer for bail is rejected.

(S. Kumar, J)

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