

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46393 of 2018

Arising Out of PS.Case No. -5 Year- 2018 Thana -PAWNA District- BHOJPUR

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Seth Mahto @ Seth Kumar @ Lalaji Mahto S/o Birda Mahto @ Brinda Singh, R/o Vill.- Pawna, P.S.- Pawna, District- Bhojpur (Bihar).

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar

For the Opposite Party/s : Mr. Mukesh Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 14-09-2018

Heard learned counsel for the petitioner.

Petitioner prays for bail in connection with Pawna P.S.Case No. 05 of 2018 registered for the offences punishable under Section 376(d) of the Indian Penal Code.

Allegation against the petitioner and others of committing rape upon the prosecutrix.

Learned counsel for the petitioner has submitted that later on the prosecutrix has filed an affidavit stating that no such occurrence has taken place and petitioner is in custody since 28.1.2018.

Heard learned APP also, who has opposed the prayer for bail on the ground that in her statement recorded under Section 164 Cr.P.C. the victim girl has named this petitioner and stated



that petitioner and others have committed rape upon her.

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

This application is, accordingly, dismissed.

(Vinod Kumar Sinha, J)

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