

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41117 of 2019

Arising Out of PS. Case No.-92 Year-2019 Thana- BIBHUTIPUR District- Samastipur

Kapil Kumar Mahto Son of Laddu Lal Mahto @ Ladu Lal Mahto Resident of
Jawaharpur Konaila, Police Station-Ujiyarpur, District-Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijay Bhushan Prasad, Advocate
For the Opposite Party/s : Mr.Shyameshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 20-09-2019 Heard the parties.

The petitioner seeks bail in Vibhutipur P.S. Case No.
92 of 2019, registered for the offences punishable under Section
376 of the Indian Penal Code.

Allegation is of committing rape upon the victim on
the pretext of marriage.

It is submitted on behalf of the petitioner that
petitioner has falsely been implicated in this case. Informant is
major lady and is consenting party and as such, no offence
under Section 376 is made out against the petitioner. Petitioner
is in custody since 17.05.2019 having no criminal antecedent.

In view of statement of victim recorded under Section
164 Cr.P.C and nature of allegation, I am not inclined to enlarge
the petitioner above-named on bail in connection with



Vibhutipur P.S. Case No. 92 of 2019. Accordingly, the same is
rejected.

(Prabhat Kumar Singh, J)

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