

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42751 of 2019**

Arising Out of PS. Case No.-193 Year-2019 Thana- TURKAULIYA District-
East Champaran

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PRASAD MANJHI Son of Late Sheodhar Manjhi Resident of Village -
Balganga, P.S.- Turkaulia (Raghunathpur), Dist.- East Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Anil Kumar, Advocate.

For the Opposite Party: Mr. Anil Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

4 27-11-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 25.03.2019 in connection with Turkauliya (Raghunathpur) P.S. Case No. 193 of 2019 for the offences alleged under Sections 323, 354(B), 376/511 of the Indian Penal Code and Section 4/6 of the POCSO Act.

3. It is submitted that the petitioner has been falsely implicated on the accusation of attempting rape upon the informant's minor grand daughter by the petitioner. It is submitted that the F.I.R. is vengeful as the informant had suspected the petitioner as the person behind a raid conducted at his premise earlier. The parties have since entered into a compromise which further shows the falsity of the case. The



petitioner is accused in one prior case under the Prohibition Act.

4. Learned APP on the other hand opposes the petition inviting reference to the deposition of the victim recorded under Section 164 Cr. P.C. as contained in the case diary, in which she has categorically made accusation against the petitioner in support of the F.I.R.

5. Having regard to the nature of accusations and the gravity of the offence alleged, this Court is not inclined to grant the privilege of bail to the petitioner. The petition stands dismissed.

(Vikash Jain, J)

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