

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.43403 of 2019**

Arising Out of PS. Case No.-183 Year-2018 Thana- PIRPAINTI District- Bhagalpur

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YOGESH MANDAL @ YOGESH KUMAR @ JUGESH MANDAL Son of  
Amika Prasad Mandal Resident of Village- Madhuban Tola, P.S.- Pirppainty,  
District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Rajive Ranjan Singh

For the Opposite Party/s : Mr.Ashok Kumar

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**CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN  
ORAL ORDER**

5      04-12-2019                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner is in custody since 24.04.2019 in connection with Pirpainty (Bakharpur) P.S.Case No. 183 of 2018 for the alleged offences under Sections 363 of the Indian Penal Code and subsequently Section 376 IPC was added.

3. It is submitted that the petitioner has been falsely implicated and as a matter of fact it was a case of love affair between the petitioner and the informant's daughter. The petitioner claims clean antecedents.

4. Learned APP opposes the bail petition and submits on the basis of paragraph 40 of the case diary containing the statement of the victim girl recorded under Section 164 Cr. P.C. that direct allegation has been made against the petitioner of alluring the victim girl to go with him. Thereafter he is said to have kept her for eight days at Bhagalpur and repeatedly committed rape upon her.



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

**(Vikash Jain, J)**

HR/-

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