

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53248 of 2019

Arising Out of PS. Case No.-40 Year-2019 Thana- MAHILA P.S. District- Sheikhpura

Chunnu Manjhi, aged about 20 years, Male, Son of Tunni Manjhi, Resident of Village Pain, P.S. and District Sheikhpura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar, Advocate

For the Opposite Party/s : Mr.Md. Mushtaque Alam

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 25-11-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with Sheikhpura Mahila P.S. Case No. 40 of 2019 registered for the offence under Section 376 (G) of the Indian Penal Code and Section 65 of I.T. Act.

The prosecution case in brief is that the informant Neetu Kumari aged about 20 years stated that on 21.06.2019 at about 1:00 P.M., she along with her brother was returning from market, in the meantime, they reached near Tati river, the petitioner Chunnu Manjhi and other co-accused Birju Ram caught hold her, tore her clothes and raped upon her one by one. The petitioner also made video clip of the incident.

Learned counsel for the petitioner submits that the



petitioner is innocent and has not committed any offence. There is no criminal history against the petitioner. The brother of the informant has not opposed of the occurrence. The marriage of the informant has solemnized one month earlier. There is love affairs between petitioner and informant and informant wants to flee away with the peititoner but petitioner is not ready, for this. He further submits that no occurrence took place at the place of occurrence. The petitioner is in custody since 22.06.2019.

Considering the facts and circumstances of the case and further considering the submission of the learned counsel for the parties and from perusal of record, it appears that the petitioner and others co-accused persons caught hold her, tore her clothes and raped upon her one by one. The statement of the victim girl has been recorded under Section 164 Cr.P.C. She has supported the prosecution story. Hence, I am not inclined to grant bail to the petitioner.

Accordingly, the prayer for bail of the petitioner is hereby rejected.

(Anjani Kumar Sharan, J)

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