

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30179 of 2020

Arising Out of PS. Case No.-28 Year-2019 Thana- MAHILA P.S. District- Samastipur

Pankaj Kumar Mahto, aged about 23 years, Male, S/o Manoj Mahto, Resident of Village-Barhara, P.S.-Ujiyarpur, District-Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Priyesh Kumar, Advocate
For the State : Mr.Ajit Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 21-12-2020 Heard the parties through the virtual court proceeding.

The petitioner seeks bail in connection with Samastipur Mahila P.S. Case No. 28 of 2019 registered for the offences punishable under Sections 376(A), 376(B), 448, 504/34 of the Indian Penal Code and Section 4 of the POCSO Act.

The prosecution case in brief is that the informant gave a written application to the S.H.O. Mahila P.S. Samastipur stating therein that on 08.05.2019 at about 7 P.M., her brother and mother went to market in the meanwhile petitioner entered her house pick up and slam on the bed and started raping her forcibly when she shout he ran away till then her uncle brother and mother came thereafter next day in morning her father went to the petitioner house those people named in the FIR started abusing. Learned counsel for the petitioner submits that the



petitioner is innocent and has committed no offence. He further submits that as a matter of fact that the allegation against the petitioner as per F.I.R. only on previous enmity between the grand father of the petitioner with the informant father.

I have perused the record including the case diary. The victim recorded under Section 164 of Cr.P.C. has supported the prosecution case.

Learned A.P.P. for the State opposed the bail petition.

In the facts and circumstances of the case, I am not inclined to enlarge the above named petitioner on bail. Accordingly, the prayer for bail of the above named petitioner in connection with Samastipur Mahila P. S. Case No.28 of 2019 is hereby rejected.

(Anjani Kumar Sharan, J)

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