

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26723 of 2021**

Arising Out of PS. Case No.-424 Year-2020 Thana- JAYNAGAR District- Madhubani

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MANOJ KUMAR MAHTO SON OF RAM KUMAR MAHTO Resident of
Village- Jaynagar Shahid Chowk, P.S.- Jaynagar, District- Madhubani.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Prakash, Adv.

For the Opposite Party/s : Ms. Asha Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 03-01-2022 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 376 and 511 of the Indian Penal Code and section 8 of the POCSO Act.

As per the prosecution case, the petitioner is stated to have committed rape on the nine year old sister of the informant.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case due to oblique reason. The allegations in the F.I.R. are not supported from the statement of the victim recorded under section 164 Cr.P.C. The petitioner is in custody since 3.12.2020 and chargesheet has been submitted in the case. He has no criminal antecedent.



Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the allegations against the petitioner in the F.I.R. together with the contents of the statement under section 164 Cr.P.C. of the nine year old minor sister of the informant, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

(Partha Sarthy, J)

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