

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8505 of 2023

Arising Out of PS. Case No.-101 Year-2020 Thana- KURSAILA District- Katihar

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Munidev Mahaldar S/o Bindeshwari Mahaldar R/o Balthi Maheshpur, P.S.-
Kursela, Distt- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh, Adv.

For the Opposite Party/s : Mr. Md. Aslam Ansari, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 03-05-2023 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Mahila P.S. Case No. 121 of 2020 arising out of G.R. No. 2675
of 2020 lodged under Section 376 of the I.P.C. read with Section
4 of the POCSO Act.

As per the prosecution case, the statement made in the
F.I.R. and the statement made under Section 164 of Cr.P.C. are
not corroborating each other.

Learned counsel for the petitioner submits that
petitioner is in custody since 07.07.2020 having clean
antecedent. Counsel submits that charge-sheet has already been

submitted in this case.

Learned counsel for the State opposes the prayer for bail and submits that there is no contradiction in the statement made in the F.I.R. and the statement made under Section 164 of Cr.P.C. Counsel submits that the statement made under Section 164 of Cr.P.C., the story of prosecution is same but since it has been stated by the victim, therefore, she has used the guided language.

In the present facts and circumstances of this case and the submissions made above, I am not inclined to grant bail to the petitioner, therefore, this bail petition is hereby rejected.

With this observation, the bail application stands rejected.

(Dr. Anshuman, J.)

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