

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23482 of 2016

Arising Out of PS.Case No. -40 Year- 2015 Thana -MAHILA PS District- BUXAR

Md. Israil Mian @ Israil Mian, son of Late Jamuna Mian, Resident of Nawanagar West Tola (Koir Tola) Ward No.06, P.S.- Nawanagar, District-Buxar.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Bimlendu Shekher Thakur
For the Opposite Party/s : Mr. Sadanand Paswan, Spl. P.P.
For the Informant : Mr. Nawal Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 30-05-2016 Heard learned counsel for the petitioner and learned counsel for the State.

In this case, the petitioner is seeking regular bail in connection with POCSO Case No. 36 of 2015 arising out of Buxar Mahila P.S. Case No. 40 of 2015, registered for the offences punishable under Sections 341, 342, 323, 328, 307, 376 and 120(B) of the Indian Penal Code, section 04 of POCSO Act, 2012 and Section 3(i), (xi), (xii) of the SC/ST Act, pending in the Court of Addl. District and Sessions Judge-I, Buxar.

The allegation against the petitioner is that he has committed rape upon the deaf and dumb girl. As per the F.I.R., the victim girl was aged about 14 to 15 years did not return to the house, thereafter, search was started and from the house of the

petitioner, the victim girl was recovered and she indicated towards the petitioner that he tried to strangle her and he has also committed rape upon her.

In such view of the matter, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for bail is rejected. However, the Trial Court is directed to conclude the trial as early as possible.

(Shivaji Pandey, J.)

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