

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29031 of 2017

Arising Out of PS.Case No. -5 Year- 2017 Thana -LADIYA TAND District- MUNGER

=====

1. Rajesh Murmur @ Rajesh Murmu Son of Babulari Murmu , Resident of Village- Lakar Kola, P.S.- Laraiya Tand, District- Munger.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh

For the Opposite Party/s : Mr. Mr. Manoj Kumar

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 24-07-2017 Heard the parties.

This application is for grant of regular bail in connection with G.R.No.375 of 2017 arising out of Laraiya Tand P.S.Case No.05 of 2017, registered for the offences punishable under Section 376 of the Indian Penal Code ¾ of POCSO Act.

Allegation against the petitioner is of committing rape upon the victim girl, who is said to be miner.

Submission of the learned counsel for the petitioner is that he has been falsely implicated in this case as there were dues of wages of the petitioner with the maternal uncle of the victim. Further submission is that the factum of the rape has not been supported in the medical examination as there is no sign of rape on the person of the victim and her age has been assessed as 17 ½



years, as such POCSO Act does not apply in this case.

Heard learned A.P.P. also.

Having heard both sides and in view of direct allegation against the petitioner and the prosecutrix has also supported the factum of the occurrence under Section 164 Cr.P.C, I am not inclined to grant bail to the petitioner, however, the learned trial court is directed to expedite the trial and try to conclude it within a period of one year.

With the aforesaid observation, this application is dismissed.

(Vinod Kumar Sinha, J)

chn/-

U			
---	--	--	--

