

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45030 of 2018

Arising Out of PS.Case No. -246 Year- 2018 Thana -KUDHNI District- MUZAFFARPUR

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Braj Kishore Singh @ Brij Kishore Singh @ Bijan Singh, Son of Late
Ananda Singh, resident of Village- Dhatiya Thatiya, P.S.- Kurhani,
District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar

For the Opposite Party/s : Mr. Sri Jagdhar Prasad

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 20-08-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is in custody since 31.05.2018 in connection with Kurhani P.S. Case No. 246 of 2018 for the offence registered under Sections 354(B), 307, 504 and 506/34 of the Indian Penal Code.

The allegation against the petitioner is that he committed rape upon the girl and it was only on cries being raised by her that she was saved from the petitioner.

Learned counsel for the petitioner submits that the entire story is false and fabricated and the petitioner may be extended the privilege of bail.

Learned counsel for the State, after perusal of the case



diary submits that there is positive evidence against the petitioner of committing offence under the POCSO Act, and he should not be extended the privilege of bail, as the victim girl in her statement under Section 164 Cr.P.C. reiterated, as stated in the first information report.

In view of the aforesaid facts and circumstances of the case, I am not inclined to granted regular bail to the petitioner. It is, accordingly, rejected.

Let the trial of the case be expedited.

(Anjana Mishra, J)

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