

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24167 of 2018

Arising Out of PS.Case No. -674 Year- 2017 Thana -NATHNAGAR District- BHAGALPUR

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Mritunjay Kumar Das Son of late Abhi Ranjan Das Resident of Narayan Ghosh Lane, Champa Nagar, P.S. Nath Nagar, District- Bhagalpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha

For the Opposite Party/s : Mr. Ashok Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 05-07-2018

Heard.

The petitioner seeks regular bail in connection with Nath Nagar P.S. Case No. 674 of 2017 for the offences punishable under Section 376 of the Indian Penal Code and section 4 Protection of Children From Sexual Offences Act, 2012.

The allegation is regarding the uncle of the victim girl committing rape with the victim who also happens to be the informant of the present case.

The learned counsel for the petitioner has submitted that the statement made by the victim girl in the written complaint and the one made by her under section 161 Cr.P.C. are contradictory to each other. It is further submitted that admittedly there is a land dispute between the parties and the victim girl was



suffering from kidney decease from before. The petitioner is stated to be languishing in custody since 10.11.2017.

Par-contra, the learned counsel for the informant and the State have vehemently opposed the prayer for regular bail.

I have gone through the records and have heard the learned counsel for the parties. I find that gruesome rape has been committed by the uncle of the victim girl and the learned Trial Court has already taken cognizance under sections 376 and 506 I.P.C. and as well as sections 4 & 6 of the POCSO Act.

Having regard to the gruesome nature of the case, I do not find any merit in the present petition, hence the prayer for grant of regular bail made by the petitioner is rejected.

(Mohit Kumar Shah, J)

BTiwary/-Md Rashid

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