

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.67866 of 2018

Arising Out of PS. Case No.-60 Year-2018 Thana- MAHILA P.S. District- Patna

=====

Kunal Kumar, S/o Sri Suresh Yadav, R/v- Ranipur, Khirki, Uparigali, P.S.-
Mehandiganj, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Vijay Kumar Sinha

For the Opposite Party/s : Mr. Sri Nand Kumar

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 03-12-2018 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in Special (POCSO) P.S. Case
No. 107/2018, arising out of Mahila P.S. Case No. 60/2018,
instituted for offences under Sections 376 and 511 of the Indian
Penal Code read with Section 8 of POCSO Act.

It is alleged in the written report that on the date of
occurrence daughter of informant came to house in weeping
condition. On being asked by the informant, she disclosed that the
petitioner had taken her to his house and attempted to commit
illegal act with her. When she raised hulla, her *Mausi* arrived there.
She was also weeping. Thereafter many other persons assembled
there then the petitioner fled away and threatened to kill in the
event case is lodged against him.



The victim girl has given statement under Section 164 Cr.P.C., wherein she has supported the case and stated that this petitioner attempted to commit illegal act with her after opening her pant. She also showed the scratch on the shoulder to the learned Magistrate at the time of statement recorded under Section 164 Cr.P.C. The court below has assessed the age of victim girl to be 8 years.

Medical report of the girl is available in case diary wherein doctor has found three small scratches over right shoulder which was found to be about 48 hrs. old. Medical Board has assessed the age of the victim to be between 8 to 10 years.

Considering the fact that there is serious allegation against this petitioner, this Court is not inclined to grant bail to the petitioner at this stage. Accordingly, prayer for bail of petitioner is rejected.

The trial court is directed to expedite the trial and make all efforts to conclude the same as soon as possible preferably within a period of nine months from the date of receipt of this order.

The petitioner is given liberty to renew the prayer for bail in the event trial is not concluded within aforesaid period.

(Sanjay Priya, J)

rakhi/-

U		T	
---	--	---	--

