

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9002 of 2019

Arising Out of PS. Case No.-475 Year-2018 Thana- SHASTRINAGAR District- Patna

MONU @ MONU KUMAR, Son of Sudama Sharma. Resident of Village-
Ashrafpur, P.S.- Nagarnausa, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Thakur, Advocate
Mr.Shashank Shekhar, Advocate
For the Opposite Party/s : Mr.Shyam Kumar Singh, APP138

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 30-04-2019 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with
Shastrinagar Police Station Case No.475 of 2018, corresponding
to Special Case No.147 of 2018, registered for the offences
punishable under Sections 363, 366, 376 of the Indian Penal
Code and Section 6/8 of the POCSO Act, pending in the court of
learned Additional Sessions Judge-I-cum-Special Judge,
POCSO Act, Patna.

Allegation against the petitioner and co-accused is
that they ravished to the minor daughter of the informant. The
victim has supported the allegation in her statement recorded
under Section 164 of the Code of Criminal Procedure.



Learned counsel for the petitioner submits that on perusal of the entire statement, it would appear that victim was a consenting party because first occurrence took place twenty days back, which she did not disclose to anyone. When for the second time she went along with the petitioner and others, she was seen by some other person and then on pressure, the F.I.R. was lodged. He further submits that medical evidence does not corroborate the allegation.

Considering the age of the victim as well as the statement of the victim recorded under Section 164 of the Code of Criminal Procedure, I am not inclined to enlarge the petitioner, above named, on bail. Hence, prayer is refused.

(Birendra Kumar, J)

abhishek/-

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

