

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12039 of 2019

Arising Out of PS. Case No.-193 Year-2018 Thana- BARGAINIA District- Sitamarhi

Vikash Kumar @ Vikash Kumar Yadav Son of Bahadur Ray @ Rambahadur Ray Resident of village -Masha Alam Ward No.-3, P.S.-Bairagania, District-Sitamarhi

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Kumar, Adv

For the Opposite Party/s : Mr.Dr.Mrityunjaya Kr.Gautam,APP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 15-05-2019 Heard learned counsel for the petitioner and
learned APP for the State.

Petitioner seeks bail in a case registered for the offences punishable under Sections 363, 366A, 372, 373, 376, 34 of the Indian Penal Code and Section 4/8 of POCSO Act.

Allegation against the petitioner is that he ravished to the informant for several days. Thereafter, his friends also ravished her and they left her at Jaipur railway station.

Submission is that the victim has not supported the allegation of rape in her statement under Section 164 Cr.P.C. rather she stated that since she was unconscious she was unable to explain what happened with her or who committed what with



her.

Nothing has brought on the record to substantiate the claim of love affairs.

Considering the nature of allegation, I am not inclined to enlarge the petitioner on bail in connection with Bairagania P.S.Case No.193 of 2018 pending in the court of learned A.D.J.1st -cum-Special Judge, POCSO Act, Sitamarhi. Hence, prayer is refused.

Learned Trial Court is directed to expedite the trial, since the petitioner is in custody since 22.10.2018.

(Birendra Kumar, J)

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