

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1518 of 2019**

Arising Out of PS. Case No.-826 Year-2018 Thana- KANTI THARMAL POWER District-
Muzaffarpur

MITTHU KHALIFA, S/o Jay Mangal Khalifa, R/o village - Kolhua
Paigambarpur, P.S. - Ahiyapur, District - Muzaffarpur

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Vishal Saurabh

For the Respondent/s : Mr. Usha Kumari 1

**CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT**

Date : 04-06-2019

Heard learned counsel for the parties.

This is an appeal under Section 14-A(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for regular bail vide order dated 07.02.2019 in Kanti P.S. Case No. 826 of 2018 passed by the learned Special Judge, POCSO Act, Muzaffarpur in connection with the aforesaid case registered under Sections 376, 202/34 of the Indian Penal Code as well as Section 3/4 of the Protection of Children from Sexual Offenses Act, 2012.

Allegation against the appellant is that he ravished to the minor daughter of the informant. The victim has supported the aforesaid allegation in her statement under Section 164 Cr.P.C.



In view of the allegation and statement of the victim, I do not find any substance in the submission of learned counsel for the appellant that false allegation is there as Rs.500/- (five hundred) was due with the mother of the victim and the appellant had gone to demand the same nor there is any merit in the submission that the Doctor has not found any injury on the private parts or any part of the victim examined after four days of the occurrence.

Considering the nature of allegation, I am not inclined to enlarge the appellant on bail. Hence, prayer for bail is refused.

Learned trial court is directed to expedite the trial.

Accordingly, this appeal stands dismissed.

(Birendra Kumar, J)

Kundan/-

AFR/NAFR	N.A.
CAV DATE	N.A.
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