

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35306 of 2019

Arising Out of PS. Case No.-5 Year-2019 Thana- MAHILA PS District- Buxar

VIKASH KUMAR Son of Nagendra Pandey @ Nagendra Mishra @ Khuti
Mishra Resident of Village - Ranibag Mushar Toli, P.S.- Koran Sarai, Distt -
Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Kumar

For the Opposite Party/s : Mr.Ramchandra Sahn

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 19-07-2019 Heard learned counsel for the petitioner, informant
and the learned APP for the State.

The petitioner seeks bail in Buxar (Mahila) P. S. Case
No. 5/19, instituted for the offence under Section 376 of the
Indian Penal Code and Section 4 of the POCSO Act.

It is alleged in the written report that on the date of
occurrence grand daughter of informant, namely, Guriya
Kumari, aged about 6 years, was sitting near Darwaja of house
and she was working inside the house. In the meantime one
Abhishek came in the house and told the informant that
petitioner has taken away Guriya Kumari in the farm of *Sarso*.
Informant went towards the farm of *Sarso* and saw this
petitioner was running away from the farm. Informant entered in



the farm and saw Guriya was weeping, who told the informant that petitioner has committed illegal act with her.

Case diary has been received.

Learned Addl. P.P. has submitted that victim has given statement under Sections 161 Cr.P.C. and 164 Cr.P.C. In both statement victim has stated that this petitioner after tying her mouth and after loosing her pant committed rape with her.

Considering the statement of victim recorded under Sections 161 Cr.P.C. and 164 Cr.P.C., this Court is not inclined to grant bail to the petitioner. Accordingly, prayer for bail of petitioner stands rejected.

Trial Court is directed to expedite the trial and make efforts to conclude the same as early as possible preferably within a period of nine months from the date of receipt/production of copy of this order.

Petitioner may renew prayer for bail in the event trial is not concluded within aforesaid period.

(Sanjay Priya, J)

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