

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46230 of 2019

Arising Out of PS. Case No.-142 Year-2018 Thana- MAHILA P.S. District- Patna

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Gullar Kumar @ Ramchandra Kumar, aged about 22 years (Male), S/o Vijay Prasad @ Vijay Rai @ Vijay Prasad Yadav R/o Ghoshwari, P.S.- Bakhtiyarpur, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Chandra, Advocate
For the State : Mr. Arun Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL JUDGMENT

Date : 11-12-2019

Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Mahila PS Case No. 142 of 2018 dated 25.09.2018 instituted under Sections 376 of the Indian Penal Code and 4, 6 and 12 of the POCSO Act.

3. The allegation against the petitioner is of performing perverse and unnatural act with the five years old daughter of the informant.

4. Learned counsel for the petitioner submitted that as per the FIR itself, no offence is made out under Section 376 of the



Indian Penal Code and the petitioner is in custody since 30.09.2018.

5. Learned APP, from the case diary submitted that the medical examination corroborates the perverse act of the petitioner on the five years old victim girl.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, the Court is not inclined to enlarge the petitioner on bail.

7. Accordingly, the application stands dismissed.

(Ahsanuddin Amanullah, J.)

P. Kumar

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