

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56353 of 2019

Arising Out of PS. Case No.-45 Year-2018 Thana- MANSURCHAK District- Begusarai

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MUKESH KUMAR @ MANGLA Son of Late Brahmdeo Das Resident of
Mohalla-Mahendraganj, Ward no.7, Mansoorchak, P.O. and P.S.-
Mansoorchak, District-Begusarai, Bihar.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shakib Ayaz

For the Opposite Party/s : Mr.Pramod Kumar Pandey

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 14-10-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is in custody since 28.11.2018 in
connection with Mansoorchak P.S. Case No. 45 of 2018 for the
offence registered under Sections 366(A), 34 of the Indian Penal
Code and Sections 3,4 and 6 of the POCSO Act.

Learned counsel for the petitioner submits that the
present case is entirely false and fabricated and the father of the
victim girl has made an allegation against this petitioner only
because the petitioner had been released in an earlier case which
was also lodged against him in which the main allegation was
against one Ashok Sah. The said case was registered under
Sections 363, 366A/34 of the Indian Penal Code. He thus,



submits that past conduct of the informant in filing false cases is evident from the aforementioned facts which he has brought on record by way of supplementary affidavit. It is further submitted that in the earlier case, co- accused, namely, Shivam Kumar @ Golu was granted bail.

Having heard learned counsel for the petitioner and learned counsel for the State, it appears that the victim girl, on recovery, has made a statement under Section 164 Cr.P.C. which clearly indicated that the involvement of the petitioner in the act of kidnapping as well as in the subsequent confinement of the victim girl, who is a minor and she had also been sexually abused.

Considering the entire gamut of circumstance, I am not inclined to grant regular bail to the petitioner. It is, accordingly, rejected.

Let the trial of the case be expedited.

(Anjana Mishra, J)

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