

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56764 of 2019

Arising Out of PS. Case No.-20 Year-2019 Thana- MAHILA PS District- Gaya

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DAYA NAND MISTRY Son of Late Ramchandra Mistry Resident of Village -
Majhiawan, P.S.- Kurtha, Dist.- Arwal, At present Address Primary Health
Center, Barachatti, Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sudhir Kumar Sinha

For the Opposite Party/s : Mr.Bharat Bhushan

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA

ORAL ORDER

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

The petitioner is in custody since 16.07.2019 in
connection with POCSO Case No. 70 of 2019 arising out of Gaya
Mahila P.S. Case No. 20 of 2019 registered for the offence
punishable under Section 376/376(e) of the IPC and Sections
8/9(e)/10 of POCSO Act.

Considering the nature of offence and admittedly the
girl is a minor of twelve years of age and offence as described in her
statement under Section 164 fall within the category of aggravated
sexual assault under Section 9 of the POCSO Act, I am not inclined
to grant bail to this petitioner.

It is, accordingly, rejected.

Trial be expedited.

(Anjana Mishra, J)

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