

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64694 of 2019**

Arising Out of PS. Case No.-152 Year-2019 Thana- BARGAINIA District- Sitamarhi

MUNIL RAI @ RAJ KUMAR RAI S/o Late Raghubir Rai R/o village-
Panchtaki Yadu, P.S.- Bairgania, District- Sitamarhi

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pushpendra Kumar Singh
For the Opposite Party/s : Mr.Arun Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER**

2 13-11-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in a case registered for
the offence under Sections 363, 366(A), 372/34 of the
Indian Penal Code and Section 8 of the POCSO Act.

Learned counsel appearing for the petitioner
submits that the petitioner, who is of clean antecedent, is
innocent and has not committed any offence. In fact, the
victim in her statement recorded under Section 164 Cr.P.C.
herself stated that she left her house out of her sweet will to
go to her Nani house as she has been assaulted by her father,
which is evident from Annexure5. No case under section
366(A) of the Indian Penal Code is made out against the



petitioner. The petitioner is rotting in judicial custody since 16.07.2019.

Learned counsel for the state has opposed the prayer for bail and submitted that the victim in her statement recorded under Section 164 Cr.PC. has stated the name of this petitioner regarding his involvement in her abduction. Therefore, the petitioner may not be enlarged on bail.

Considering the facts and circumstances of the case, this Court is not inclined to enlarge the petitioner on regular bail. Accordingly, the prayer for bail of this petitioner is rejected.

However, the petitioner may renew his prayer for bail after framing of charge.

(Arvind Srivastava, J)

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