

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78448 of 2019

Arising Out of PS. Case No.-519 Year-2019 Thana- TURKAULIYA District- East
Champaran

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MUNNA KURAISHI @ MUNNA QUIRASHI Son of Salaudin Miya @
Salaudin Kuraishi Resident of Village - Raghunathpur, P.S. - Raghunathpur
O.P., Distt - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sangeet Deokuliar

For the Opposite Party/s : Mr.Uma Shankar Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 03-12-2019 Heard the learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks regular bail in connection
with Turkaulia Raghunathpur PS case no. 519 of 2019 instituted
for the offence punishable under Sections 376 D/34 of Indian
Penal Code and 4, 8, 12 of POCSO Act.

The allegation according to the informant-victim
girl is that on 28.07.2019 at about 7.30 pm in the evening, she had
gone to the shop for purchasing medicine for headache but the
shop was closed and outside the shop, one Alto car was standing in
which the co-accused person namely Chhotu @ Ashutosh and the
petitioner herein were sitting who told her that she may
accompany them so that they can go to another shop to purchase



the medicine, whereupon the said two accused persons had made the informant to sit in the car and had taken her away and then, they had forcibly raped her in the car one by one.

The learned counsel for the petitioner has submitted that the petitioner has been falsely implicated in the present case, the petitioner is having a clean antecedent and is languishing in custody since 29.07.2019.

I have heard the learned counsel for the parties and perused the materials on record. I find that the victim girl has corroborated the incident of rape having been committed by the petitioner and one other co-accused person with her, in her statement made under Section 164 Cr.P.C. before the learned Magistrate. I further find that the incident has been found to be true upon investigation by the police and charge-sheet has also been submitted.

Considering the heinous nature of crime committed by the petitioner herein, I am not inclined to grant regular bail to the petitioner herein, hence the petition stands dismissed.

(Mohit Kumar Shah, J)

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