

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3870 of 2020

Arising Out of PS. Case No.-178 Year-2019 Thana- MOKAMAH District- Patna

DINESH RAM S/o Late Yugal Ram Resident at Kanhaipur Tola Ganga
Prasad Ward No. 3, P.S.- Mokama, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dr. Ajay Shankar Rajoo
For the Opposite Party/s : Mr.Akhileshwar Dayal

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 21-01-2020 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks regular bail in connection with
Mokama P.S. Case No. 178 of 2019 for the offence registered
under Sections 354 and 354(b) of the Indian Penal Code and
Sections 8 and 12 of POCSO Act, 2012.

The allegation is regarding the petitioner having
come to the *Dalan* of the house of the informant where her six
years old daughter was present alone and had thereafter engaged
in oral sex with her as also had told her to catch his private
parts with bad intentions.

The learned counsel for the petitioner has submitted
that the petitioner has been falsely implicated in the present
case and he is having a clean antecedent.



Having regard to the facts and circumstances of the case, considering the submissions of the learned counsel for the petitioner and upon perusing the materials on record, this court is of the view that the petitioner has been alleged to have committed a heinous crime and a bare perusal of the statement made by the victim girl under Section 164 Cr. P.C. before the learned Magistrate, reference whereof has been given in the impugned order dated 19.12.2019, shows that the victim girl has supported the allegations levelled in the FIR, regarding the petitioner having committed wrong with the victim girl, thus considering the seriousness of the accusation and the heinous crime committed by the petitioner, I do not deem it fit and proper to grant the privilege of regular bail to the petitioner, hence the present petition stands dismissed.

(Mohit Kumar Shah, J)

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