

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9197 of 2020**

Arising Out of PS. Case No.-49 Year-2019 Thana- MAHARAJGANJ District- Siwan

Mandan Nonia Son of Jaglal Mahto Resident of Village - Sareya, P.S.-
Mahrajganj, District - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Akhilesh Kumar, Advocate
For the Opposite Party/s : Mr.Binod Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER**

4 28-08-2020 This matter has been taken up through Video Conferencing.

Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

The petitioner is languishing in custody for the offences punishable under Sections 341/323/377/504/506/34 of the Indian Penal Code and Section 4/8 of the POCSO Act in connection with Mahrajganj P.S. Case No. 49 of 2019.

The petitioner is in custody since 02.07.2019.

Allegation against the petitioner is that he committed unnatural offence against a child aged about 5-6 years. The victim has supported the allegation in his statement under Section 164 Cr.P.C. Other witnesses have also stated that when they reached they found that blood was coming from the rectum of the victim and the mother of the victim informed that petitioner has committed the



crime alleged. Though doctor did not find any sign of sexual assault on the person of the victim. However, at this stage the statement of the victim and other eyewitness cannot be disbelieved.

Hence, I am not inclined to enlarge the petitioner on bail. The prayer for bail is refused. The trial Court is directed to expedite the trial.

(Birendra Kumar, J)

Mkr./-

U		T	
---	--	---	--

