

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 19177 of 2020

Sunil Kumar Mandal (male) aged about 23 years, son of Turai Mandal, Resident
of Village Jairampur, Ward No. 10, P.S. Murliganj, District Madhepura
... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Wasi Ahmad Khan, Adv.
For the Opposite Party/s : Mr. Umanath Mishra, APP.

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4	26-08-2020	Heard learned counsel for the petitioner and learned APP for the State, through video conferencing. The petitioner has filed the instant application for grant of regular bail to the petitioner in connection with Murliganj P.S. Case No. 165 of 2018 registered for the offence under sections 376 of the Indian Penal Code and section 4 of the POCSO Act. As per allegation in the FIR, the informant states that the petitioner took away his girl child aged 8-9 months on the pretext of looking after her. It is thereafter stated that on his returning back with the child and making an attempt to escape, it was discovered that blood was oozing out of her private parts. The petitioner was caught, beaten up and on being questioned, confessed to have committed rape on her. It is submitted by learned counsel for the petitioner that the petitioner is a neighbour of the informant and being on
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	enemical terms with the informant, has been falsely implicated in the case. The allegations are absolutely false and concocted. The petitioner has no criminal antecedent and is in custody since 16.5.2018. The application for bail is opposed by learned APP for the State. Case diary had been called for and the same has been received. Having heard learned counsel for the parties and on going through the materials which has transpired in course of investigation, it has come in the medical report of the girl child of the informant that the doctor has found features of penetration present and the age of the victim was accessed to be between 6-12 months. In view of the aforesaid facts, the Court is not inclined to enlarge the petitioner on bail and, as such, the same is rejected.
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(Partha Sarthy, J)

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