

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 23266 of 2020

Arising Out of PS. Case No.-10 Year-2020 Thana- MIRGANJ District- Purnia

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Kundan Kumar Son of Keshi Mahaldar Resident of Village-Milky Ward
No.08, P.S.-Mirganj, District-Purnea ... Petitioner

Versus

The State of Bihar ... Opposite Party

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Appearance :

For the Petitioner : Mr.Sourendra Pandey, Advocate
For the Opposite Party : Mr. Addl Public Prosecutor

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 02-11-2020 Heard learned counsel for the petitioner and the State through Video Conferencing and perused the case diary.

The petitioner seeks bail in Mirganj Police Station Case No. 10 of 2020 (Special POCSO Case No.13 of 2020) registered for the offence punishable under section 376 of the Indian Penal Code and sections 4/6 of the POCSO Act.

Prosecution's case, in brief, is that the petitioner forcefully took the informant's daughter to the nearby Corn fields and committed rape on her. Meanwhile, villagers chased and captured him and handed over to the police.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case to settle long standing land dispute. Petitioner has got no criminal antecedent and he is in custody since 3.3.2020.

Learned counsel for the State submits that the victim in her section 164 Cr.P.C. statement (Annexure 2) has alleged that the petitioner forcibly pressed her mouth, dragged her to Maize field and committed rape on her and threatened her of dire consequences.

In view of nature of allegation as well as statement of



the victim as above, prayer for bail of the petitioner is rejected.

(Prabhat Kumar Singh, J)

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