

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62739 of 2019

Arising Out of PS. Case No.-31 Year-2017 Thana- SIWAIPATTI District- Muzaffarpur

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MUKESH KUMAR Son of Fudeni Rai Resident of Village - Gosainpur, P.S.-
Siwaipatti, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anish Kumar

For the Opposite Party/s : Mr.Choubey Jawahar

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 03-06-2020 Due to COVID-19 Pandemic, the matter is being
taken up by way of virtual Court proceeding.

The matter has been listed under the heading 'For
Orders' under the orders of Hon'ble the Chief Justice.

Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in Siwaipatti P.S. case
No.31 of 2017 corresponding to Sessions Trial No.638 of 2017
and 785 of 2017 registered for an offence under Sections
366(A)/34 of the I.P.C. pending in the court of Special Court,
POCSO Act, Muzaffarpur.

The earlier bail application of the petitioner was
rejected vide Annexure 1 to the present application taking into
account that the victim girl under Section 164 of Cr.P.C. has



supported the allegations made in the F.I.R.

A report was called for from the trial court. It has been reported that the evidence has been closed and the case is fixed for judgment. At that stage it was pointed out that the victim happens to be 14 years. Hence the matter is pending whether the charge is to be framed under POCSO Act or not.

Considering the stage of the case and the allegations, I am not inclined to grant bail to the petitioner. The same is rejected.

The trial court is directed to conclude the trial at the earliest.

(Sudhir Singh, J)

Narendra/-

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