

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67705 of 2019

Arising Out of PS. Case No.-519 Year-2019 Thana- TURKAULIYA District- East
Champaran

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AASHUTOSH KUMAR @ CHHOTU, Son of Anil Kumar, Resident of
Village - Raghunathpur, Ward No. 6, P.S. - Turkauliya (Raghunathpur O.P.),
District - East Champaran, Motihari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar, Advocate

For the Opposite Party/s : Mr. Md. Aslam Ansari, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 04-03-2020 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 376(D)/34 of the Indian
Penal Code, Sections 4, 8 and 12 of the Protection of Children
from Sexual Offenses Act, 2012.

According to FIR, the petitioner and co-accused
allegedly ravished to a minor girl, who is informant of this case.

The victim has supported the allegation in her
statement under Section 164 Cr.P.C.

Learned counsel for the petitioner submits that the
medical report does not support the allegation as the Doctor has
not found any sign of commission of rape.



Considering the nature of allegation and the fact that the victim cannot be disbelieved at this stage, I am not inclined to grant bail to the petitioner in connection with Turkauliya (Raghunathpur) Police Station Case No. 519 of 2019 pending in the court of learned 1st Additional Sessions Judge-cum-Special Judge, POCSO Act, East Champaran at Motihari.

Hence, prayer for bail is refused.

Learned trial court is directed to expedite the trial.

(Birendra Kumar, J)

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