

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67678 of 2019

Arising Out of PS. Case No.-234 Year-2019 Thana- BAIRIYA District- West Champaran

Munna Kumar @ Munna Son of Late Birendra Prasad, Resident of Village-
Malahi Tola, P.S.- Bairiya, District- West Champaran (Bettiah).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Subhash Kumar Jha

For the Opposite Party/s : Mr.Anil Kumar Singh No. 1

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

5 07-07-2020 Heard learned counsel for the petitioner and learned
counsel for the State.

In this case, the petitioner is seeking regular bail in connection with Bairiya P.S. Case No. 234 of 2019 registered for offence punishable under section 376 of the Indian Penal Code and section 4 of the POCSO Act.

Allegation has been made that in the mid night, the petitioner put his palm on the mouth of victim girl so that she could not raise alarm and forcibly lifted and took her nearby the bush and committed rape.

Learned counsel for the petitioner submits that the doctor has not found any sign of rape nor any injury in the private part nor sperm has been found but the fact is that she herself has made a statement of commission of rape on her by



the petitioner.

Looking to the facts and circumstances of the case, for the present, this Court is not inclined to grant bail to the petitioner and accordingly his prayer for bail is rejected.

(Shivaji Pandey, J)

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