

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85844 of 2019

Arising Out of PS. Case No.-261 Year-2015 Thana- KHAJEKALA District- Patna

=====

MUKESH KUMAR Son of Mahesh Yadav @ Mahesh Rai Resident of
Mohalla-Divan Mohalla, Goval Toli Hamampar, P.S.-Khajekalan, District-
Patna.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Abhay Kumar Thakur

For the Opposite Party/s : Mr.Ajit Kumar

=====

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 09-06-2020

The present petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing lock-down on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel for the petitioner and Mrs. Anita Kumari Singh, the learned APP for the State.

The present petition is by way of 2nd attempt at the behest of the petitioner for grant of regular bail inasmuch as the earlier bail petition filed by the petitioner for grant of regular bail was dismissed by this Court by an order dated 29.06.2018 passed in Cr. Misc. No. 21497 of 2018 in connection with Khajejkalan P.S. Case No. 261 of 2015 for the offence punishable under Sections 376 of the Indian Penal Code and section 4 of the



POCSO Act.

The petitioner has been alleged to have raped the victim girl.

The learned counsel for the petitioner has submitted that the petitioner is languishing in custody since 15.09.2017.

Per contra, the learned APP appearing for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the materials on record, this Court finds that there is no change in circumstances, from the day the prayer of the petitioner for grant of bail was rejected earlier by this Court on 29.06.2018, till day, and moreover the petitioner has been alleged to have committed a heinous crime of rape, hence there is no occasion to reconsider the prayer for bail of the petitioner herein, thus the present petition stands dismissed.

(Mohit Kumar Shah, J)

Tiwary/-

U		T	
---	--	---	--

