

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2034 of 2020

Arising Out of PS. Case No.-185 Year-2019 Thana- KHODAWANDPUR District- Begusarai

Md. Murtuja @ Dilkhush son of Md. Ilyas @ Md. Elyash Resident of Village-
Malpur, P.S. Khodawandpur, District-Begusarai.

... .. Appellant/s

Versus

THE STATE OF BIHAR

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Nafisuzzoha

For the Respondent/s : Mr. Vinay Krishna, Special P.P.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 19-01-2021 Heard the learned counsel for the appellant and Shri
Vinay Krishna, learned Special P.P. for the State.

The present petition is a second attempt at the behest of the appellant for grant of bail in connection with Khodawandpur P.S. Case No. 185 of 2019 for the offences registered under Section 376 of the Indian Penal Code, Sections 3/4 of the POCSO Act & Section 3(r) (s) of the SC/ST (POA) Act inasmuch as the earlier prayer of the appellant for grant of bail was rejected vide order dated 19.12.2019 passed in Criminal Misc. No. 5055 of 2019.

The appellant has been alleged to have committed rape with a seven years old girl.

The learned counsel for the appellant has submitted that there is no external injury on the victim girl and the



appellant is languishing in custody since 07.09.2019 without there being any progress in the trial.

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

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the appellant and taking into account the materials on record, this Court finds that there is no change in circumstances, from the day the prayer of the appellant for grant of bail was rejected earlier, till today, hence I do not find any reason to reconsider the prayer of the appellant for grant of bail.

Accordingly, the present petition stands dismissed.

(Mohit Kumar Shah, J)

S.Sb/-

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

