

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37436 of 2020

Arising Out of PS. Case No.-170 Year-2020 Thana- DELHA District- Gaya

=====

MOHAN MISHRA @ BABA aged about 55 years son of Late Akhileshwar Mishra Resident of Mohalla- Gautam Buddha Colony, Road No-1, Gaya, P.S.- Delha, District- Gaya

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

=====

Appearance :

For the Petitioner/s : Mr.Arvind Kumar Singh, Advocate

For the Opposite Party/s : Mr.A.G

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 02-02-2021 Heard learned counsel for the petitioner as well as learned counsel for the State through video conferencing.

The petitioner seeks bail in POCSO Case No.87/2020, Delha Police Station Case No. 170/2020 registered for the offences punishable under sections 376/34 of the Indian Penal Code and sections 4, 8 and 12 of the POCSO Act.

As per the prosecution case, the petitioner on the pretext of purchasing cloths, took the victim in Krishna Hotel and committed rape on her.

Learned counsel for the petitioner submits that the petitioner is a victim of false implication due to old dispute regarding Gali and Nali. The doctor has not found any sign of rape. Petitioner has got no criminal antecedent and he is in



custody since 1.8.2020.

Learned counsel for the State opposes the prayer for bail and submits that there is specific allegation against the petitioner that he committed rape on the minor girl.

In view of the specific allegation against the petitioner, prayer for bail of the petitioner is refused.

(Prabhat Kumar Singh, J)

Shashi

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

