

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3403 of 2021**

Arising Out of PS. Case No.-215 Year-2019 Thana- BAKHTIARPUR District- Saharsa

Shiva Kumar @ Shiva Mukhiya @ Shiva Kumar Mukhiya Son of Chano
Mukhiya Resident of Village- Itahara, P.S.- Sourbazar, Distt- Saharsa.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satish Kumar Singh
For the Opposite Party/s : Mr. A.G

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 26-05-2021 Heard the parties in virtual Court proceeding.

The petitioner is languishing in custody for the offences punishable under Sections 363/366A/34 of the Indian Penal Code in connection with POCSO Case No.20 of 2020, arising out of Saharsa P.S. Case No. 215 of 2019.

The statement of the victim girl recorded under Section 164 Cr.P.C. would reveal that the matter is of gang rape wherein the petitioner also actively participated.

Considering the nature of allegation of commission of gang rape against a minor, I am not inclined to enlarge the petitioner on bail. Hence, the prayer for bail is refused.



The trial Court is directed to expedite the trial.

(Birendra Kumar, J)

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