

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8266 of 2022

Arising Out of PS. Case No.-651 Year-2021 Thana- BETTIAH CITY District- West
Champaran

MD. MUNNA S/o Md. Khedu Resident of Village- Uttarwari Pokhara, Pakki
Phulwari, Ward No.6, P.S.- Kalibagh O.P., District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 20-07-2022 Learned counsel for the petitioner is permitted to
remove defect (s), as pointed out by the office, if any, within a
period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has preferred this application for grant
of regular bail in a case registered under Sections 354(B) of the
Indian Penal Code and Section 8/12 of the POCSO Act.

As per the prosecution case, the petitioner is alleged
to have molested the victim girl aged about six years.

Learned counsel for the petitioner has submitted that
the petitioner is innocent and he has falsely been implicated in
this case. Nothing has been recovered from the conscious



possession of the petitioner. The Petitioner has clean antecedent as stated at para 3 of the bail petition. The petitioner is in custody since 17.11.2021.

Learned counsel for the petitioner has further submitted that the charge-sheet has been filed against the petitioner under Section 376AB of the Indian Penal Code and 4 and 6 of the POCSO Act.

Learned A.P.P. for the State has opposed the bail petition of the petitioner by submitting that the impugned order shows that the victim is a minor girl and her age was assessed as 5 to 7 years as per the medical report and the doctor opined that her hymen was ruptured and sign of inflammation was present. There may be injury in internal private part with blunt hard object. There is specific allegation against the petitioner.

Considering the aforesaid facts and circumstances, I am not inclined to enlarge the petitioner, above named, on bail.

The learned Court below is directed to expedite the trial and conclude the same preferably within six months.

This bail application is hereby rejected.

(Chandra Prakash Singh, J)

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