

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44146 of 2021

Arising Out of PS. Case No.-4 Year-2021 Thana- MAHILA P.S BAGHA District- West
Champaran

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MUMTAJ S/o Ibrahim Miyan @ Mahammad Ibrahim R/o Village-
Ratanmala, Ward No.33, P.S.- Bagaha, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Bimlesh Kumar Pandey, Advocate.
For the State	:	Mrs. Asha Devi, APP.
For O.P. No.2	:	Mr. Sachidanand Rai, Advocate.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

4 18-04-2022 Heard the parties.

Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. for the State.

Let the defect(s), if any, be removed within two
weeks of the complete start of the physical Court in normal
course.

The petitioner seeks regular bail in connection with
Bagaha (Mahila) P.S. Case No. 4 of 2021 for the offence
punishable under Sections 376, 376D, 346/34 of the Indian
Penal Code and Sections 4 and 6 of the POCSO Act.

Allegation against the petitioner is of committing rape
upon the minor daughter of the informant, aged about 15 years.

Learned counsel for the informant submits that taking



into consideration the nature of allegation made against the petitioner and the material which has surfaced in course of investigation and the statement of the victim recorded under Section 164 Cr.P.C. duly supported by FSL report at Para-205 of the case diary, the petitioner does not deserve to be released on bail.

Smt. Asha Devi, learned APP for the State has opposed the prayer for grant of bail to the petitioner.

Learned counsel for the petitioner prays for expeditious trial.

Taking into consideration the nature of allegation made against the petitioner which is duly supported by the statement of the victim recorded under Section 164 Cr.P.C. as well as FSL report at Para-205 of the case diary, I am not inclined to enlarge the petitioner on bail.

Accordingly, the present bail application is rejected.

Prosecution is directed to cooperate in the trial on each day fixed by the trial court.

(Purnendu Singh, J)

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