

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57809 of 2021

Arising Out of PS. Case No.-160 Year-2021 Thana- PARSABAZAR District- Patna

MANOJ KUMAR S/o- Shyama Bhagat @ Rajendra Yadav @ Rajendra Prasad R/o - Mohalla - Dhamaul Parsa Bazar, Post - Punpun, P.S. - Parsa Bazar, Dist. - Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tej Kumar Maharaj

For the Opposite Party/s : Mr. Ram Sumiran Rai

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 03-02-2022 Heard learned counsel for the petitioner and the State.

The matter has been taken up through video conferencing.

Petitioner seeks regular bail in a case registered for the offence punishable under Section 376/511 of the Indian Penal Code and u/s 8/12 of POCSO Act.

As per the prosecution case, this petitioner restrained the victim on the pretext of tuition and thereafter attempted to commit rape.

Learned counsel appearing for the petitioner submits that petitioner is innocent and has falsely been implicated in the case. It is submitted that statement of the victim u/s 164 of the Cr. P. C. has not been recorded. It is next submitted that victim



has also not been medically examined. Petitioner claims clean antecedent and is in custody since 07.05.2021 and investigation in this case is complete.

Learned counsel appearing for the State opposes the prayer for bail and submits that petitioner committed heinous offence with a minor girl aged about nine year and the victim supported the prosecution case during the course of investigation before the police.

Considering the nature of accusation and gravity of the offence, I am not inclined to enlarge the petitioner on bail. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

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