

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64237 of 2021**

Arising Out of PS. Case No.-462 Year-2021 Thana- NATHNAGAR District- Bhagalpur

PINTU KUMAR Son of Sudhir Prasad Mandal Resident of Village-
Nasrathkhanai, P.S.- Lalmatiya (Nathanagar), District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar Jha

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

**CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER**

5 29-08-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with
Nathnagar (Madhusudanpur) P.S. Case 462/2021 registered for
the offence punishable under Section 376 of the Indian Penal
Code and Section 4 of the POCSO Act.

As per prosecution case, there is accusation against
the petitioner to make an attempt to commit rape upon the
victims. It is further alleged that the victims were being tortured
again and again and threatened by the petitioner that if they do
not fulfill his wish, they would be killed.

Learned counsel for the petitioner submits that the
petitioner being a tutor in the present case. During course of
investigation all the independent witnesses stated that the



petitioner has been falsely implicated in this case. The petitioner is languishing in custody since 28.08.2021 and bears no criminal antecedent. Charge sheet has been submitted in this case and there is no likelihood of tampering with the prosecution evidence.

The learned A.P.P. for the State vehemently opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case and accusation made against the petitioner wherein the victims are to be minor children and same is corroborated with the statement of victim recorded under Section 164 Cr.P.C., I am not inclined to grant bail to the petitioner. Hence, prayer for bail of the petitioner stands rejected.

However, the trial court is directed to expedite the trial.

(Alok Kumar Pandey, J)

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