

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.31363 of 2023**

Arising Out of PS. Case No.-41 Year-2022 Thana- BASOPATTI District- Madhubani

SONU MUKHIYA S/O BIKO MUKHIYA R/O Village- Basopatti, P.S-  
Basopatti, Distt.- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Ravi Prakash

For the Opposite Party/s : Mr.Narendra Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

3      25-07-2023                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner has prayed for bail in a case instituted  
for the offence under Sections 341, 323, 324, 307, 376, 504, 506 of  
the Indian Penal Code and Section 4 of the POCSO Act.

3. The allegation against the petitioner is of raping the  
minor daughter of the informant. It is further alleged that the  
petitioner abused, gave threatening and also assaulting the  
informant.

4. It is submitted by learned counsel for the petitioner  
that petitioner has been falsely implicated in this case. He has  
committed no offence. He submitted that Medical report has not  
supported the prosecution case. Petitioner is languishing in judicial  
custody since 23.02.2023.



5. Learned APP for the State has opposed the application for bail and submitted that the petitioner is named in the FIR. The victim is a minor girl and has recovered and her statement has been recorded u/s 164 of the Cr.P.C., in which she stated that the petitioner after pressing her mouth taken her to his house and forcibly committed rape upon her. She further stated that the petitioner was intoxicated condition. During investigation several witnesses have also supported the prosecution case.

6. Having heard the learned counsel for the parties and considering the nature of allegation, this court is not inclined to enlarge the petitioner on bail and, as such, his prayer for bail stands rejected.

7. The trial Court is directed to conclude the trial expeditiously.

**(Sunil Kumar Panwar, J)**

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