

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34680 of 2023

Arising Out of PS. Case No.-632 Year-2022 Thana- RAHUI District- Nalanda

=====

GUJAL MAHTO @ AMIT KUMAR Son of Vijay Kumar @ Vijay Mahto
Resident of village - Dhamouli Bigha, P.S. - Wena, Distt. - Nalanda

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Shambhu Narayan Singh, Advocate

For the Opposite Party/s : Mr. Zainul Abedin, Addl. Public Prosecutor

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 27-07-2023 Heard learned counsel for the petitioner and the

State.

2. Petitioner apprehends arrest in a case registered for the offence punishable under sections 341/323/376/504,/506/34 of t Indian Penal Code, but later on Section 8/12 of POCSO Act.

3. Petitioner is alleged to have committed sexual assault with the minor daughter of the informant.

4. It is submitted that the petitioner is innocent and has falsely been implicated in this case. He further submits that there is delay of 18 days for which there is no explanation which itself create doubt over the prosecution.

5. However, learned counsel for the State opposes the prayer for bail and submits that victim in her statement under section 164 Cr.P.C. has supported the prosecution case.



6. Considering the statement of the victim under section 164 Cr.P.C. and gravity of allegation, prayer for pre-arrest bail of the petitioner is rejected.

(Prabhat Kumar Singh, J)

Kaushik/-

U		T	
---	--	---	--

