

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57017 of 2022

Arising Out of PS. Case No.-23 Year-2022 Thana- MAHILA PS District- Gaya

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DHARMENDRA KUMAR Son of Munarik Yadav @ Mundrika Yadav @
Mundrika Prasad Resident of Village- Taro, P.S.- Fatehpur, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Durgesh Nandan, Adv.

For the Opposite Party/s : Mr.Dr.Mrityunjaya Kr.Gautam, APP

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CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY

ORAL ORDER

4 17-04-2023 Heard learned counsel for the petitioner as well as

learned APP for the State.

In this case, the petitioner is seeking regular bail in
connection with Gaya Mahila P.S. Case No. 23 of 2022,
registered for the offences punishable under Sections 376,
376(AB) of the Indian Penal Code and Section 3/4/6 of POCSO
Act.

As per allegation, when the minor daughter of the
informant namely Anshu Kumari went to attend the call of
nature, the petitioner took away her towards jungle and
committed rape upon her. When the informant started searching
her daughter, the petitioner fled away from the place of
occurrence after hearing her voice.



The learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. He is a mentally retarded person. There is no eye-witness of the occurrence. He has submitted further that the victim, while playing, fell upon any hard substance and sustained injuries on her private part. He has also submitted that no mark of violence was found on her person by the doctor. He is a person of clean antecedent. He is under custody since 23.03.2022.

On the other hand, the learned APP for the State has opposed the prayer for bail.

In my view, the petitioner does not deserve the privileges of bail, which is hereby rejected.

The learned court below shall take every endeavor to dispose of the trial as soon as possible preferably within a period of six months.

(Nawneet Kumar Pandey, J)

Kundan/Nirmal

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