

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58180 of 2022

Arising Out of PS. Case No.-202 Year-2021 Thana- PURAINI District- Madhepura

=====

KUMAR SOURAV @ KUMAR SAURABH @ KOKLESH SON OF
CHHANGURI SAHANI R/O VILLAGE- PURAINI WARD NO. 9, P.S.-
PURAINI, DISTRICT- MADHEPURA Petitioner/s

Versus

The State of Bihar Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Alok Kumar Singh
For the Opposite Party/s : Mr.Bharat Bhushan.App,156

=====

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

6 17-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in connection with
POCSO Case No. 47 of 2021 arising out of Purani P.S. Case no.
202 of 2021 instituted for the offence under Sections 363, 302,
376, 201/34 of the Indian Penal Code and Section 4 of the
POCSO Act.

As per allegation in the FIR, while the minor daughter
aged about 4 years was playing in the tempo, which was parked
near his house, petitioner who is neighbor took her towards
chimni of Yogiraj and later on her dead body was found near
chimni of Yogiraj. It came to light that after kidnapping, she was
being raped by the petitioner and then murdered.

It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case due to



previous enmity. No one is eye witness of the alleged occurrence.. No incriminating material has come during investigation against the petitioner to show his involvement in the present case. Petitioner has got no criminal antecedent and he is languishing in judicial custody since 12.12.2021.

The application for bail is opposed by learned APP for the State and submitted that during investigation, several witnesses have supported the prosecution story. From perusal of the case diary, para-10, SDPO Udakishunganj has found the case true against the petitioner in his supervision report. AS per postmortem report, doctor opined cause of death is asphyxia due to manual strangulation.

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

The trial court is directed to expedite and conclude the trial.

(Sunil Kumar Panwar, J)

sushma/-

U			
---	--	--	--

