

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60662 of 2024

Arising Out of PS. Case No.-430 Year-2023 Thana- KALYANPUR District- East Champaran

Mukesh Rai S/o Sajawal Rai R/o vill - Sambhu Chak, P.S. - Kalyanpur, Distt.
- East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rajesh Giri S/o Narayan Giri R/o vill - Shambhuchak, P.S. - Kalyanpur,
Dist. - East Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar No. III, Adv.
For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 04-09-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with Sessions Trial No. 19 of 2024 arising out of Kalyanpur P.S. Case No. 430 of 2023 dated 01.12.2023, lodged under Sections 147, 148, 341, 342, 323, 324, 307, 302, 120(B) and 149 of the I.P.C. read with Section 4/6 of POCSO Act.

3. As per the prosecution case, the F.I.R. has been lodged against thirteen named accused persons including the present petitioner. The allegation against the accused persons is that they in connivance with each other have tried to outrage the modesty of the sister of the informant and subsequently, attacked her, due to which she died on the spot.

4. Learned counsel for the petitioner submits that the

petitioner is innocent and has committed no offence. He further submits that the petitioner is in custody since 12.02.2024 having nine criminal cases pending against him. He further submits that there is nothing specific against the present petitioner. He was just a member of mob.

5. Learned A.P.P. for the State opposes the prayer for bail and submits that it is a case of murder of a juvenile with allegation of outraging the modesty against the accused persons and the antecedent of the petitioner is also not clean, there are nine criminal cases pending against him.

6. In the present facts and circumstances of this case and the submissions made above, I am not inclined to grant bail to the petitioner and, therefore, his bail petition is hereby rejected.

7. However, liberty is hereby granted to the petitioner that he may renew his prayer for bail, one year after framing of charge.

8. With this observation, the bail application stands rejected.

(Dr. Anshuman, J)

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