

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75819 of 2023

Arising Out of PS. Case No.-130 Year-2023 Thana- BAIKUNTHPUR District- Gopalganj

Sonu Kumar Son Of Rajeshwar Mahto @ Rajesh Mehto R/O Vill -
Bahrapur, P.S. - Baikunthpur, Distt. - Gopalganj

... .. Petitioner/s

Versus

1. The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jeetendra Narayan
For the Opposite Party/s : Mr.Binod Kumar

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

3 28-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
POCSO Case No. 60 of 2023 arising out of Baikunth P.S.Case
NO. 130 of 2023 instituted for the offences punishable under
Sections 341,323,376 (D) A and 328 of the Indian Penal Code
and section 4/6 of the prevention of Children for Sexual
Offences Act..

3. According to the FIR, the petitioner is alleged to
have committed wrong with the informant/ victim aged about 13
years by wrapping her mouth while she was going to Mela. It
is further alleged that the co-accused Radhey Shyam Kumar



accompanied the petitioner in the alleged occurrence.

4 Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case due to dirty village politics. The medical report of the victim has not supported the prosecution case. The petitioner is in custody since 08.09.2023 having clean antecedent.

5. Learned APP opposes the prayer for bail and submitted that the petitioner is named in the FIR upon whom the specific allegation of committing wrong has been made. The victim girl supported the prosecution allegation in her statement recorded under section 164 of the Cr.P.C . It is further submitted that witnesses have also supported the prosecution case.

6. Having heard the learned counsel for the parties and considering the fact that there is specific allegation against the petitioner, this court is not inclined to grant bail to the petitioner accordingly, his prayer for regular bail is hereby rejected.

7. The trial court is directed to expedite the trial and conclude the same as early as possible.

(Ramesh Chand Malviya, J)

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