

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31070 of 2015

Arising Out of PS.Case No. -4 Year- 2015 Thana -MAHILA PS District- BUXAR

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1. Vicky Verma Son of Manoj Kumar Verma resident of Mohalla - Civil
Lines Sonarpatti, Police Station Buxar (T), District - Buxar
..... Petitioner/s

Versus

1. The State of Bihar
..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Parijat Saurav

For the Opposite Party/s : Mr. Parmanand Kumar(App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

3 04-11-2015 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Buxar Mahila P.S. Case No. 04 of 2015 registered for the offences punishable under Sections 376, 341, 323, 504, 494, 420 of the Indian Penal Code and Section 4 of the Prevention of Children from sexual Offences Act, 2012.

Allegedly the informant met the petitioner at Buxar and the petitioner started talking telephonically with her and when she returned to her house situated at Nandibagan Bara Bai 5 P.S. Hawara, Kolkata, on pretext of arranging marriage with her, developed physical relation with her and thereafter deserted her and returned to Buxar but the informant also came to Buxar and there the informant was assaulted by the petitioner and then the police apprehended him and the petitioner lodged a written report.

Submission is of false implication and that the petitioner is married one and further the informant is also married one and both developed physical relation with their consent. The informant has been examined by the Doctor and her age has been assessed between 15-16 years and the petitioner is suffering in custody since 16.02.2015, having no criminal antecedent, deserves sympathetic consideration.

The learned A.P.P. opposes the prayer of bail by submitting that the petitioner on the pretext of marriage, took away the minor girl and developed physical relationship with her which finds support from the statement recorded under Section 164 Cr.P.C. and by medical examination also that she was minor.

In the facts and circumstances stated above, considering the allegation attributed against the petitioner, serious in nature, this Court is not inclined to enlarge him on bail and accordingly, such prayer stands rejected.

However the trial court is directed to expedite the trial and conclude the same as per amended proviso of Section 309 Cr.P.C.

(Jitendra Mohan Sharma, J)

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