

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4505 of 2016

Arising Out of PS.Case No. -190 Year- 2015 Thana -MAHILA P.S. District- SIWAN

- =====
1. Deep Mandal Son of Gautam Mandal, Resident of village- Thakur Nagar,
P.S.- Gaighata, District- North 24 Paragana, West Bengal
2. Parma Yadav, Son of Baidyanath Yadav, Resident of village Mirpur, P.S.
Andar, District Siwan

.... Petitioners

Versus

1. The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar

For the Opposite Party/s : Mr. B. N. Pandey (App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

3 28-03-2016 Heard learned counsel for the petitioners and learned
counsel representing the State.

The petitioners seek bail in connection with Mahila P.S.
Case No. 190 of 2015 registered for the offences punishable under
Sections 342, 344, 366 (A), 370, 370 (A) of the Indian Penal
Code, Sections 3, 4, 5, 6, 7, 8 of Immoral Traffic Act and Sections
12, 13 and 14 of POCSO Act.

Allegedly, Shipra aged 12 years, the minor daughter of
the informant, was kidnapped by the petitioner no. 1 Deep Mandal
and after inquiry it was learnt that Shipra has been kept in custody
of Prema Yadav petitioner no. 2. During investigation raid was
conducted at the house of Prema Yadav and the victim Shipra was
recovered who stated that she was forced by Prema Yadav to

please the customer and on refusal used to assault her.

Submission is of false implication and that the FIR has been lodged after much delay, the informant and his family members are indulged in such activities, the informant has filed compromise petition also and as such the petitioners deserve sympathetic consideration to which learned APP opposes by submitting that the victim in her statement has supported the allegation and she is minor.

In the facts and circumstances stated above, considering the allegation attributed against the petitioners serious in nature and further the doctor has found the age of the victim to be 14-15 years, at this stage, this Court is not inclined to enlarge the petitioners on bail, accordingly, their such prayer stands rejected.

(Jitendra Mohan Sharma, J)

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