

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37958 of 2016

Arising Out of PS.Case No. -130 Year- 2015 Thana -MANIYARI District- MUZAFFARPUR

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1. Arun Ram son of Late Fudeni Ram Resident of Village- Methurapur,
Police Station- Maniyari, District- Muzaffarpur..... Petitioner

Versus

1. The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Amit Anand

For the Opposite Party/s : Mr. Sri Prem Kumar Jha

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

2 22-09-2016

Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Maniyari P.S.
Case No. 130 of 2015 registered for the offences punishable under
Section 377 of the Indian Penal Code and Section 4 of POCSO
Act.

Allegedly, the petitioner committed unnatural sexual
offence against the victim aged about 6 years, resulting, he started
weeping and blood was also oozing.

Submission is of false implication and that due to land
dispute the petitioner has been implicated, medical report does not
support the prosecution case as no spermatozoa was found. The
petitioner has got no criminal antecedent, the petitioner is in
custody since 08.06.2015 and up till now no prosecution witness
has been examined and, as such, he deserves sympathetic

consideration to which the learned APP seriously opposes.

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

However, let the trial be expedited and concluded as early as possible, preferably within four months from the date of receipt/production of a copy of this order after taking the same on priority basis, failing which the petitioner, if at no fault, may renew his prayer for bail before the court below itself.

(Jitendra Mohan Sharma, J)

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