

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13300 of 2016

Arising Out of PS.Case No. -222 Year- 2014 Thana -NAWANGAR District- BUXAR

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1. Ajay Kumar Ram son of Sri Nand Bihari Ram Resident of village
Sonversha P.S. Nawanagar (Sonversha) Distt. Buxar.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dr. Kamal Deo Sharma

For the Opposite Party/s : Mr. R.B. Roy Raman (App)

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

3 11-05-2016 Heard the learned counsel for the petitioner as well as

the learned A.P.P for the State.

The petitioner seeks bail in a case for the offences
punishable under sections 366 (A), 372, 373 and 376 (G)/34 of the
I.P.C and sections 8 and 9 of the POCSO Act.

Allegedly, Indu Kumari, aged 15 years, the
daughter of the informant, earlier was taken away by the petitioner
to perform marriage with her but due to timely arrival of the
informant at Buxar court the petitioner fled away but thereafter the
petitioner took away Indu Kumari with the help of other co-
accused and sold her at Sasaram where the daughter of the
informant was forced to indulge in immoral sex. At Sasaram also
the case was lodged where statement of Indu Kumari

was recorded under section 164 of the Cr.P.C. and further her medical test was also done.

Submission is of false implication and that for the occurrence dated 06.06.2014 no case was lodged earlier but this case has been lodged after much delay on 07.11.2014, prosecution story appears not probable and reliable and without any legal and tangible material the petitioner is suffering in custody since 23.11.2015, whereas Vijay Nut and Vidyabati Devi have already been allowed bail by the learned court below itself.

The learned A.P.P. seriously opposes prayer for bail by submitting that the victim in her statement before the police which is recorded in paragraph-5 of the case diary has made allegation against the petitioner that he also developed sexual relationship with her twice-thrice and further she in her statement recorded under section 164 of the Cr.P.C. at Sasaram has made similar allegation which is recorded in paragraph-52 of the case diary and the doctor has found her age 13-14 years.

In the facts and circumstances as stated above, considering the allegation attributed against the petitioner, serious in nature, I am not inclined to enlarge the petitioner on bail and accordingly his such prayer stands rejected in connection with Nawanagar (Sonversha) P.S. Case No. 222 of 2014/ POCSO Case

No. 07 of 2015 pending in the court of A.D.J. 1st, Buxar.

However, let the trial be expedited and concluded as per the amended proviso of section 309 of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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