

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14418 of 2016

Arising Out of PS.Case No. -24 Year- 2016 Thana -KISHANGANJ District- KISANGANJ

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Uma Shankar Jha son of Late Basodhar Jha, resident of Village- Ram Nagar, Police Station- Sikty, District- Araria.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana

For the Opposite Party/s : Mr. Shailendra Kumar 2 (App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

4 13-05-2016

Heard the learned counsel for the petitioner and the

learned A.P.P representing the State.

The petitioner seeks bail in connection with Kishanganj P.S. Case No. 24 of 2016 registered for the offences punishable under Section 377 of the Indian Penal Code and Sections 8, 9 and 12 of the POCSO Act.

Allegedly, the petitioner being a teacher in Oriental Public School used to commit unnatural sex with Md. Sarjil Anwar, cousin of the informant for last eight months and further the petitioner has also committed the same offence with one Masoom Reza, as both the victims along with other students were residing in the school hostel.

Submission is of false implication and that first information report has been lodged after much delay, though the

informant came to know regarding such act three months ago, only under local politics this case has been lodged to defame the petitioner who is a teacher and hostel incharge of that school, two victims have been examined by Medical Court but no sign of sexual assault was found and as such, the petitioner deserves sympathetic consideration to which the learned APP seriously opposes the prayer of bail by submitting that both the victims have supported the allegation in their statement recorded under Section 164 of the Code of Criminal Procedure.

In the facts and circumstances 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 prayer stands rejected in connection with Kishanganj P.S. Case No. 24 of 2016 pending in the Court of learned Additional Sessions Judge-1st cum Special Judge, Kishanganj.

However, considering the detention of the petitioner, let the trial be expedited and concluded preferably within nine months from the date of receipt or production of a copy of this order.

(Jitendra Mohan Sharma, J)

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