

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8914 of 2016

Arising Out of PS.Case No. -537 Year- 2014 Thana -BEGUSARAI TOWN District- BEGUSARAI

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1. Gopal Kumar Son of Sri Narayan Sah, Resident of village- Tarbanna,
P.S.- Ratanpur (O.P.), District- Begusarai

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Singh

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

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 03-05-2016 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 458, 376 and 511 of the I.P.C and section 8 of the POCSO Act.

Allegedly, the petitioner after entering into the house of the informant tried to lift away Saziya Khatoon, aged seven years, with bad intention but due to the alarm being raised by the informant the petitioner fled away.

Submission is of false implication and that no offence under sections 376 and 511 of the I.P.C. and section 8 of the POCSO Act is made out, the petitioner has been made victim of the circumstances, the prosecution story appears not probable and

reliable, without any fault the petitioner is suffering in custody since 17.09.2015.

The learned A.P.P. submits that earlier also the petitioner was an accused under sections 376/511 of the I.P.C. bearing Begusarai Town P.S. Case No. 617 of 2013.

In the facts and circumstances as stated above, considering the criminal antecedent of the petitioner, at present I am not inclined to enlarge the petitioner on bail and accordingly his such prayer stands rejected in connection with POCSO Case No. 14 of 2014 arising out of Nagar (Ratanpur) P.S. Case No. 537 of 2014 pending in the court of 1st Additional Sessions Judge- Cum- Special Judge, Begusarai.

However, let the trial be expedited and concluded preferably within a period of four months from the date of receipt/production of a copy of this order, failing which the petitioner, if at no fault, may be at liberty to renew his prayer for bail.

(Jitendra Mohan Sharma, J)

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