

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26420 of 2017

Arising Out of PS.Case No. -31 Year- 2015 Thana -JAYRAMPUR District- SEKHPURA

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1. Ashok Manjhi, Son of Late Khelawan Manjhi.
2. Ghutar Manjhi, Son of Krishna Manjhi. Both Resident of Village- Jayrampur, Police Station- Jayrampur, District- Sheikhpura.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bipin Kumar

For the Opposite Party/s : Mr. Smt. Indu Bala Pandey

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 07-07-2017 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

Petitioners are languishing in custody since 17.04.2017 in connection with Jayrampur P.S. Case No. 31 of 2015 / POCSO Case No. 04 of 2017 for the offences alleged under Sections 323, 341, 363-A of the Indian Penal Code and Section 4 of the POCSO Act.

The prosecution case as lodged by the father of the victim girl, Goli Kumari is that his daughter, aged 12 years, was going to bring food for her father, who works in the chimney and in the mean while, Sandeep Paswan and Bharat Paswan had kidnapped his daughter.

It has been submitted by the learned counsel for the



petitioners that petitioners are not named in the complaint case. They are only witnesses in the complaint case and have been falsely implicated in the aforesaid case.

However, learned A.P.P. for the State submits that as per the statement under Section 164 Cr.P.C. of the victim girl, the petitioners have been named who had taken her to Delhi and sold her and also committed rape upon her.

Considering the facts and circumstances of the case, I am not inclined to enlarge the petitioners on bail and accordingly, their prayer stands rejected in connection with Jayrampur P.S. Case No. 31 of 2015 / POCSO Case No. 04 of 2017 pending in the Court of learned 1st Additional District and Sessions Judge, Sheikhpura.

(Nilu Agrawal, J)

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