

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24980 of 2017

Arising Out of PS.Case No. -204 Year- 2016 Thana -BALIA District- BEGUSARAI

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Amit Sah @ Sukru, son of Late Naresh Sah, resident of village - Chhoti
Balua Bazar, Police Station - Balua, District - Begusarai.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ramesh Kr. Sharma, Advocate
For the Informant : Mr. Radha Mohan Singh, Advocate
For the Opposite Party/s : Mr. Murlidhar, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 11-07-2017 Heard learned counsel for the petitioner.

This is an application for bail in connection with Balua
P.S.Case No. 204 of 2016 registered for the offences punishable
under Sections 341, 323, 363, 366A, 398, 370A, 370D, 372, 373,
120B/34 of the Indian Penal Code, 3, 4 & 6 of Immoral Traffic
Act and 4 & 8 of POCSO Act.

Allegation against the petitioner is that he forcibly
took the victim, who is a minor girl, and handed over her to other
co-accused, i.e, woman broker.

It has been submitted on behalf of the petitioner that
there is seven days delay in lodging FIR and there is land dispute
between the parties and petitioner is cousin brother of the victim
girl and, as such, prosecution story does not appears to be
believable. Learned counsel has also drawn my attention towards



Annexure-3 which is an information given by RTI stating that no such recovery has been made and petitioner is in custody for three months.

Heard learned APP and learned counsel for the informant also. They have opposed the prayer for bail stating that in a statement under Section 164 Cr.P.C. the victim girl has deposed against the petitioner.

Having heard both sides and considering the fact that victim girl was minor, I am not inclined to grant bail to the petitioner at this stage.

However, petitioner may renew his prayer for bail after framing of charge in this case before the court below, who will consider the materials available against the petitioner at that time and after considering the same he will pass an appropriate order.

With the above observation, this application is dismissed.

(Vinod Kumar Sinha, J)

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