

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.2067 of 2017

Arising Out of PS.Case No. -9 Year- 2017 Thana -HAJIPUR SADAR District-
VAISHALI(HAJIPUR)

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1. Md. Qaiser, son of Late Md. Abdullah, resident of Village- Bauli Moalla
Masjid Chowk, P.S.- Hajipur Town, District- Vaishali at Hajipur.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Lovekush Kumar, Advocate

For the Respondent/s : Smt Usha Kumari No-1, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 31-08-2017 Heard the parties.

The appellant seeks regular bail in Hajipur Sadar P.S.Case No. 9/2017 registered for offences punishable under Sections 302/34 of the Indian Penal Code and 3 (2) (V) of SC/ST Act, Sections 4, 6 and 21 of POCSO Act and Section 75 of Juvenile Justice (Care and Protection of Children) Act, 2000.

Allegation against the appellant as per F.I.R. is that inmate always used to induce her to involved in illegal act and the appellant is said to be Night Guard of the school.

It has been submitted on behalf of the appellant is that except suspicion, there is nothing against the appellant and in statement under Section 164 Cr. P. C. , no body stated the name



of Night Guard and involvement in the alleged occurrence

Learned Special P.P. also opposes the prayer for bail.

From perusal of the F.I.R. as well as the materials collected through investigation, it appears that it is a heinous crime and committed in hostel and the petitioner is said to be Night Guard and in such circumstances and he is supposed to be present in the night when the occurrence took place as such suspicion appears to be strong hence, I am not inclined to grant bail to the petitioner. As such, prayer for bail of the petitioner is rejected.

However, Trial Court is directed to expedite the trial.

(Vinod Kumar Sinha, J)

Sudha/-

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