

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41411 of 2017

Arising Out of PS.Case No. -176 Year- 2017 Thana -BEGUSARAI TOWN District- BEGUSARAI

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Md. Shashiya @ Kubair, Son of Late Ibrahim @ Chhah Number, R/o
Village- Bagha, P.S.- Begusarai Town (Lohia Nagar), District- Begusarai.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravindra Kumar, Advocate

For the Opposite Party/s : Mr. Mithilesh Kumar Khare, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 21-09-2017 Heard learned counsel for the petitioner and the

learned counsel appearing on behalf of the State.

The petitioner is in custody since 28.04.2017 in connection with POCSO Case No.35 of 2017, arising out of Begusarai Town P.S. Case No.176/17, registered for the offence under Sections 363 and 366A of the Indian Penal Code, in which subsequently charge sheet under Section 376 of the I.P.C. and Section 4 of the POCSO Act has been submitted. The case is pending in the court of learned Additional Sessions Judge-1st -Cum-Special Judge, POCSO Act, Begusarai.

Learned counsel for the petitioner submits that it is a case of love affairs. However, the victim girl in her statement under Section 164 Cr.P.C. has stated that she was taken away



by the petitioner and she was forced to have physical relation with him.

In view of the aforementioned facts and circumstances, I am not inclined to grant bail to the petitioner. It is, accordingly, rejected.

However, the concerned Magistrate may take immediate steps for commitment of the case for trial and upon commitment, the trial court shall expedite the trial.

(Anjana Mishra, J)

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