

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10500 of 2017

Arising Out of PS.Case No. -93 Year- 2016 Thana -MAHILA P.S. District- SIWAN

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1. Rajesh Sharma, Son of Bhoj Sharma, Resident of village - Dhudhara,
Police Station Goreyakothi, District - Siwan

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raghav Prasad

For the Opposite Party/s : Mr. Sanjay Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 30-03-2017 The petitioner is in custody since 14.11.2016 in connection with Siwan Mahila P.S. Case No. 93 of 2016, registered for offences punishable under Sections 324, 354 (A) (i), 376/511 of Indian Penal Code and Section 6/8/12 of POCSO Act.

It has been submitted on behalf of the petitioner that falsity of the present case will appear from the F.I.R, itself tht no injury was found in the medical examination and as a matter of fact there was a dispute between the parties as there was a sugar cane field of the petitioner in front of the informant's house and the informant and his family members were in habit of cutting sugar cane and due to that the present false case has been filed for which the petitioner has been in judicial custody since 14.11.2016.

Learned counsel for the State opposed the prayer for bail



and submitted that there is direct allegation against the petitioner that has been corroborated by the statement of witnesses during the investigation.

Having heard both sides, in view of the direct allegation against the petitioner and also the case is of POCSO Act, as such, I am not inclined to grant the petitioner, the privilege of regular bail, at least, at this stage, it is accordingly rejected.

However, trial court is directed to expedite the trial and try to conclude it within a period of nine months and if the trial is not concluded within the aforesaid period, the petitioner will be at liberty to renew his prayer for bail in the court below itself.

(Vinod Kumar Sinha, J)

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