

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58791 of 2017

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1. Manjit Ram, son of Shiv Narayan Ram, resident of Village- Devradh Kala, P.S. Kudra, District Kaimur at Bhabua.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan

For the Opposite Party/s : Mr. Sri Anish Chandra

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 06-12-2017 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner prays for regular bail in connection with Pocso Reg. No. 21 of 2017, arising out of Mahila (Bhabua) P.S. Case No. 34 of 2017, registered for the offences punishable under Section 376 of the Indian Penal Code and 4 POCSO Act.

Earlier prayer for bail of the petitioner was rejected with liberty to renew his prayer for bail after framing of charge.

Submission of the learned counsel for the petitioner is that now victim girl was examined under Section 164 Cr.P.C. who has roped name of the petitioner. Moreso, in her statement she has not clearly disclosed name of this petitioner Manjit Ram, rather she stated as Masjid, and as such, he is in judicial custody since 21.5.2017.



Learned A.P.P. opposes the prayer for bail application.

Having heard both sides, as the allegation is under Section 376 as well as 4 of POCSO Act and there is no dispute with regard to submission of learned counsel for the state regarding identification of the petitioner, in such view of the matter, I am not inclined to grant bail to the petitioner at this stage, however once the prosecutrix is examined in this case and there is no material against the petitioner, he may renew his prayer for bail before learned trial court, who shall consider this aspect of the case as well as materials available on record, shall pass an appropriate order, if possible, on same day, without being prejudiced by the order of this Court.

Accordingly, this application stands disposed of.

(Vinod Kumar Sinha, J)

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