

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26574 of 2018

Arising Out of PS.Case No. -194 Year- 2017 Thana -GAYGHAT District- MUZAFFARPUR

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Sanjay Ram @ Sanjay Sharma, S/o Baidyanath Ram, R/o Vill.-
Relanarayanpur, P.S.- Gaighat, District- Muzaffarpur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Syed Ehteshamuddin, Advocate

For the Opposite Party/s : Mr. Narsingh Tanti, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

5 07-08-2018 Heard learned counsel for the petitioner and the

learned counsel appearing on behalf of the State.

The petitioner is in custody in connection with
Gaighat P.S. Case No.194 of 2017 (G.R. Case No.67 of 2017)
registered for the offence under Sections 341, 323, 324, 354A,
354B, 307, 379, 504, 376 and 511/34 of the Indian Penal Code
and Section 8 of the POCSO Act, which is pending in the
court of the learned Special Judge (POCSO Act), Muzaffarpur.

Learned counsel for the petitioner submits that the
present F.I.R. has been occasioned on account of the fact that
the petitioner had lodged a case regarding non-payment of
wages against the husband of the informant of the present case
and, therefore, in order to wreak vengeance, the present case



was lodged to humiliate and ashamed the petitioner. Learned counsel thus submits that the petitioner is having a clean antecedent may be extended the privilege of bail.

Learned counsel appearing on behalf of the State after perusal of the case diary submits that the victim girl is a minor and has in her statement made under Section 164 Cr.P.C. reiterated the allegation as has been made in the F.I.R. by her mother. He further submits that the petitioner has made an attempt to outrage the modesty of the child and has made sexual advancement, which is the offence under the POCSO Act as well and, therefore, the petitioner would not be entitled to the privilege of bail.

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

Let the court concerned take expeditious steps towards commitment of the case and thereafter, the trial may proceed expeditiously.

(Anjana Mishra, J)

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