

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.68207 of 2018

Arising Out of PS. Case No.-552 Year-2018 Thana- HAJIPUR District- Vaishali

Manmohan Prasad, Son of Mohan Prasad, Resident of Village Kumhrar, P.S. Agamkuan, District Patna at Present District Programme Manager, Mahila Vikas Nigam, Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kr. Thakur, Advocate.
Miss. Babita Kumari, Shashank Shekhar, Advts.
For the Opposite Party/s : Mr. Narsingh Tanti, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 12-12-2018 Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in Hajipur Town P.S. Case No. 552 of 2018 instituted for the offence under Sections 354(A) (I) (II)/354(B), 370(7), 120(B), 166 of Indian Penal Code, Sections 8, 12, 21 of POCSO Act, 2012.

The prosecution case has been instituted on the written report of Mala Kumari, Districti Programme Officer vide her Memo No. 1207 dated 13.8.2018 addressed to the Inspector of Police-cum-S.H.O., Nagar Police Station, Hajipur, alleging that the District Magistrate, Vaishali, vide letter No. 1488, dated 13.8.2018, has directed to lodge the case against accused persons named therein for committing administrative



lashes, criminal act and other serious charges in running of the Alpwas Grih, Hajipur.

It is alleged against the petitioner in the enquiry report that he used to come regularly in the room of inmates (Sanwasin) of Alpwas Grih (Short Stay Home) and regularly spend time there for 2-3 hours. The girls of Alpawas Grih have also disclosed that petitioner used to touch their bodies and do indecent and objectionable act with them. On protest, he gave threat to kill them. It is further alleged that petitioner used to organize dinner party of outer persons in the campus of Short Stay Home and also used to get work from the inmates in the form of cleaning utensils. He did not use to pay the amount to the employees regularly. The petitioner was District Programme Officer posted as District Project Manager, Mahila Vikas Nigam.

The police during investigation has recorded the statement of various inmates (Sanwasin) of the aforesaid Alpwas Grih (Short Stay Home), namely, Dipa @ Dipika, Sapna Kumari, Nasima Khatoon, Punita Barhai and unknown dumb girl Raj Kumari which finds mention in paragraph-45 of the case diary. The girls Dipa @ Dipika, Sapna Kumari and Nasima Khatoon have stated that petitioner used to come in the Short Stay Home and called the girls separately and also



touched their bodies. He also used to look them with bad intention. When they made protest, he used to give threat to take them to Samastipur. He also told them to write against staff of Short Stay Home, for which, he will give them Rs.6,000/- and one new sewing machine.

Therefore, keeping in view the serious allegation against petitioner in the written report and also in the statement of victim girls recorded under Section 164 Cr. P.C., this Court is not inclined to grant bail to the petitioner.

Prayer for bail of the petitioner stands rejected at this stage.

The Trial Court is directed to expedite the trial.

(Sanjay Priya, J)

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