

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41696 of 2019

Arising Out of PS. Case No.-449 Year-2018 Thana- BARARI District- Katihar

MD.SARWAR MANSOORI Son of Jamal Mansoori Resident of Village -
Line Par, Bareta, P.S.- Barari, Dist.- Katihar.(Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raghvendra Kumar Singh
For the Opposite Party/s : Mr.Anant Kumar 1

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 10-07-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case instituted for the
offences under Sections 366(A)/34 of the Indian Penal Code and
4 of POCSO Act.

The prosecution case in short is that the accused
persons forcibly abducted the daughter of the informant.

It has been submitted on behalf of the petitioner that
the petitioner is in custody since 27.3.2019 and has got no
criminal antecedent. There is no allegation of tampering of
witnesses alleged against the petitioner. Charge-sheet has been
submitted in the present case. The petitioner has falsely been
implicated in the present case. No specific allegation has been
made in the F.I.R.. General and omnibus allegation has been



made against the petitioner.

On behalf of the State, it is submitted that the petitioner is not named in the F.I.R. The victim girl in her statement recorded under Section 164 Cr.P.C. has made specific allegation against the petitioner. She has further stated that she was sold by the petitioner to one Santosh Kumar.

Considering the nature of accusation, I am not inclined to grant bail to the petitioner in connection with Barari P.S. Case No. 449 of 2018, G.R. No. 5117 of 2018. The same is rejected. The Trial Court is directed to conclude the trial at the earliest preferably within nine months from the date of receipt/production of a copy of this order.

(Sudhir Singh, J)

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