

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.77736 of 2018

Arising Out of PS. Case No.-207 Year-2017 Thana- BYPASS District- Patna

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Soni Kumari @ Soni Devi Wife of Uday Rai Resident of Village- Saidabad,
P.S.- Raghapur, District- Vaishali at present tenant in the house of Jagdish
Chaudhary, 'Bina Sao Ke Bag' P.S.- Bye -Pass, District- Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mritunjay Prasad Singh

For the Opposite Party/s : Mr. Abhay Kumar Roy

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

4 31-01-2019 Heard learned counsel for the parties.

Petitioner seeks bail in Special (POCSO) Case No. 147
of 2017 arising out of Bye-pass P.S. Case No. 207 of 2017
registered for the offence punishable under Sections 363, 370,
372, 376 of the Indian Penal Code and Section 4/6 of the
POCSO Act.

Informant has alleged that the petitioner and his
husband sold her in the hand of one Guddu, who used to sleep
with her in the night. When she threatened to commit suicide,
Guddu send her back to the petitioner. Further allegation is that
the petitioner and other accused again sold her to one Panni and
he also used to sleep with her in night. One day, the police
rescued the informant from the clutches of Panni.



Bail petition of petitioner was rejected earlier as contained in Annexure 2. Report was called for from Trial Court and in its report it has been stated that witnesses are not coming to depose for which non-bailable warrant has been issued and S.S.P., Patna has been informed.

It has been submitted on behalf of the petitioner that she is innocent and has falsely been implicated in this case and has no criminal antecedent and is in custody since 25.09.2017.

Considering the facts and circumstances of the case and nature of allegation, I am not inclined to enlarge the petitioner on bail. Hence, the prayer for bail of the petitioner is hereby rejected.

However, the court below is directed to expedite the trial and conclude the same within six months from the date of receipt of the order and if trial is not concluded within said period petitioner may renew her prayer for grant of bail.

(S. Kumar, J)

Sanjay/-

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