

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78972 of 2019

Arising Out of PS. Case No.-124 Year-2019 Thana- FATEHPUR District- Gaya

1. SARJU MANJHI Son of Ram Briksh Manjhi @ Briksh Manjhi Resident of Village- Pakri, P.S.- Fatehpur, District- Gaya.
2. Ajay Manjhi @ Ajay Son of Saro Manjhi @ Paro @ Paro Manjhi Resident of Village- Pakri, P.S.- Fatehpur, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramashish

For the Opposite Party/s : Mr.Abhay Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

5 23-06-2020 Heard both sides.

The matter has been taken up through video conferencing.

The petitioners seek bail in Fatehpur P.S. case No. 124/2019 registered u/s 376(A) (B) of the IPC and u/s 6 of POCSO Act.

The mother of the victim alleged that her son Neeraj Kumar came at about 3 AM in the night and disclosed that her daughter Punni Kumari, aged about three years, was not inside the house. The informant and her family members began to search. The informant came to know that Sarju Manjhi and Ajay Manjhi, the petitioners, took her daughter and committed rape with her.

The learned counsel for the petitioners submits that informant is not an eye witness of the occurrence. The doctor did not find any injury on the person of victim. The petitioners



are in custody since 25.05.2019. No case u/s 376B of the IPC is made against the petitioners. The victim disclosed only the name of petitioner No.2 but it appears from perusal of the case diary that the daughter of informant was traceless. The victim is unable to identify or disclose the name of the persons but she disclosed that Ajay Bhaiya tortured her. The witnesses have stated that petitioners outraged the modesty of the child, aged about three years.

Taking into consideration the facts aforesaid, I am not inclined to enlarge the petitioners on bail. Accordingly, the same is rejected.

The trial court is directed to expedite the trial, hold the trial on day to day basis and conclude the same within nine months from the date of receipt of this order.

The Superintendent of Police, Gaya is directed to ensure the attendance of prosecution witnesses in the trial court so that the trial must be concluded within nine months.

Let a copy of this order be sent to the trial court and Superintendent of Police, Gaya for information and needful.

(Prabhat Kumar Jha, J)

BKS/-

U		T	
---	--	---	--

