

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34462 of 2020

Arising Out of PS. Case No.-46 Year-2020 Thana- IMAMGANJ District- Gaya

Bhola Yadav @ Ranjeet Yadav, (Male), aged about 20 years, Son of Devraj Yadav, Resident of Village Dubahal, P.S. Imamganj, District Gaya.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Javed Jafar Khan

For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 25-02-2021 Heard both sides.

The petitioner seeks bail in Imamganj P.S. Case No.46 of 2020, giving rise to POCSO Case No.40 of 2020, registered under Sections 341, 323, 354(B) of the Indian Penal Code and under Section 10 of the POCSO Act.

The informant alleged that the petitioner took his minor daughter, aged about six years, towards hill but the villagers heard the sound of crying her daughter and followed the petitioner. The daughter of the informant was found lying in a field. The petitioner was apprehended. The victim disclosed the entire facts that the petitioner was making attempt to commit rape with her after untying her under garments.

Learned counsel for the petitioner submits that the victim made her statement under Section 164 Cr.P.C. after a



month and she disclosed that Vikash Bhaiya took her but it appears that it was the petitioner who took the minor victim towards the hill and while she was crying, the neighbours of the victim went there and rescue the victim. The victim has stated that the petitioner made all attempt to commit rape with her.

Taking into consideration the facts aforesaid, I am not inclined to enlarge the petitioner on bail. Accordingly, the prayer for bail of the petitioner is rejected.

The trial court is directed to expedite the trial and conclude the same within six months from the date of receipt of this order.

If the trial is not concluded within six months, the petitioner, if so advised, may renew his prayer for bail.

(Prabhat Kumar Jha, J)

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