

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38367 of 2020

Arising Out of PS. Case No.-78 Year-2020 Thana- CHERIYA BARIYARPUR District-
Begusarai

MD. FIROZ SAH @ MD. FIROZ Son of Sobarati Sah, Resident of Village -
Momin Tola, Vishunpurwa, Ward No. 10, P.S. - Loriya, District - West
Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam, Advocate.

For the Opposite Party/s : Mr. Dashrath Mehta, APP.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

7 19-05-2021

This matter has been taken up in Virtual Court.

Heard the parties.

The petitioner is languishing in custody for the
offence punishable under Section 376 of the Indian Penal Code
and Section 4 of the POCSO Act.

The petitioner pretended himself as Vikash Yadav on
mobile call to the victim and induced her for marriage. Took the
victim to a lonely place and ravished her. These facts are evident
from the statement of the victim recorded under Section 164
Cr.P.C.

Learned counsel for the petitioner submits that the
petitioner is in custody since last one year. The matter appears to
be of love affairs. He further submits that the doctor who



medically examined the victim did not find any sign of rape, etc.

Since the victim was a minor, the victim cannot be disbelieved at this stage. Hence, I am not inclined to enlarge the petitioner on bail in connection with POCSO Case No. 15 of 2020 arising out of Cheria Beriarpur P.S. Case No. 78 of 2020.

Prayer for bail of the petitioner is refused.

Learned trial Judge is directed to expedite the trial.

(Birendra Kumar, J)

mantreshwar/-

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

