

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9905 of 2021

Arising Out of PS. Case No.-40 Year-2019 Thana- MAHILA P.S. District- Sheikhpura

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BIRJU RAM, (Male), aged about 20 years, S/o Sri Bijay Ram, R/o Village-
Pain, P.S. and Distt- Sheikhpura.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Dinkar Kumar, Advocate.

For the Opposite Party : Mr. A.G.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 04-08-2021 Learned counsel for the petitioner is directed to
remove the defects, as pointed out by the office, within a period
of four weeks from the date of restoration of normalcy.

Heard learned counsel for the petitioner and learned
A.P.P. for the State through Virtual mode.

The petitioner seeks bail in connection with POCSO
Case No. 38/2019, arising out of Sheikhpura (Mahila) P.S. Case
No. 40/2019 registered for the offence under Sections 376 (G)
and 67 of the I.T. Act.

The prosecution story, in brief, is that on 21.06.2019
at about 1.00 P.M. the informant Neetu Kumari aged about 20



years alongwith her brother, was returning from the Market, as soon as they reached near *Tati River*, the petitioner Birju Ram and other co-accused Chunnu Manjhi caught hold her, torn her clothes and raped upon her one by one. The petitioner also made video clip of the incident. Hence, F.I.R. was registered against the accused.

Earlier the bail application of the petitioner was rejected vide Cr. Misc. No. 74022 of 2019 under order dated 05.03.2020 taking into consideration that there was allegation of commission of rape alleged against the petitioner.

A report was called for from the court below regarding the stage of the case. It has been reported that out of six prosecution witnesses, four prosecution witnesses have already been examined.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner. The same is rejected in connection with POCSO Case No. 38/2019, arising out of Sheikhpura (Mahila) P.S. Case No. 40/2019, pending in the court of learned 1st Additional District and Sessions Judge, Sheikhpura.

The court below is directed to take all necessary steps to conclude the trial preferably within a period of six months



from the date of receipt/production of copy of this order.

(Sudhir Singh, J)

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