

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.779 of 2021**

Arising Out of PS. Case No.-71 Year-2015 Thana- MAGADH UNIVERSITY District- Gaya

Munna Singh Yadav @ Munna Yadav @ Munna Bayas Son of Mahadeo
Yadav Resident of Village- Bhola Bigha, P.S.- Magadh University, District-
Gaya.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Tabish Sharfuddin, Advocate

For the Respondent/s : Mr. Sadanand Paswan, SPP

**CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER**

5 06-07-2021 Heard the parties in virtual Court proceeding.

Perused the report of the Senior Superintendent of Police, Gaya, submitted in pursuance of order dated 03.05.2021 and its reminder dated 28.06.2021. A departmental proceeding is under contemplation against the erring Investigating Officer in not ensuring statement of the victim of POCSO Act recorded under Section 164 Cr.P.C.

The Senior Superintendent of Police, Gaya, shall submit the result of the proceeding within six months.

This is an appeal under Section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 against the refusal of prayer for bail vide order dated 08.12.2020 passed by the learned Additional



Sessions Judge-VI-cum-Special Judge (POCSO Act), Gaya, in connection with POCSO Case No.16 of 2016, arising out of Magadh University P.S. Case No.71 of 2015, registered under Sections 354(b)/506 of the Indian Penal Code, Section 8 of POCSO Act and Section 3(i)(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Considering the nature of allegation against the appellant disclosed in the FIR and the material in the case-diary, I am not inclined to enlarge the appellant on bail. Hence, the prayer for bail is refused. The learned trial Court is directed to expedite the trial.

Accordingly, the appeal stands rejected.

(Birendra Kumar, J)

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