

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3370 of 2022

Arising Out of PS. Case No.-548 Year-2021 Thana- SITAMARHI District- Sitamarhi

Sitaram Ram Son of Rajdev Ram Resident of Village - Kamaldah, P.S. -
Bathnaha, District - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Birendra Kumar

For the Opposite Party/s : Mr. Pushpa Sinha.1

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

5 06-12-2022 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner seeks bail in connection with

Sitamarhi P.S. Case No. 548 of 2021, registered for the

offences punishable under Sections 344, 347, 376, 323, 406

and 34 of the Indian Penal Code and Sections 4 and 6 of

POCSO Act.

The prosecution case as emerging from the FIR is

that the victim was working in orchestra and at the time of

return to her native place when she demanded her wage the

petitioner refused to pay. It is further alleged that the

petitioner forcibly made physical relation with her.



The Ld. counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case on account of dispute regarding payment of the charges for working in the Orchestra.

The petitioner has been languishing in jail since 12.07.2021.

It is also stated in paragraph no. 2 of the petition that the petitioner has never moved before this Court for grant of anticipatory bail or regular bail.

It has further been stated in paragraph no. 3 that the petitioner has earlier been made accused in two more cases.

However, the learned APP for the State vehemently opposes the prayer of the petitioner for bail.

I am not persuaded to enlarge the petitioner on bail at this stage.

However if the trial is not concluded within 6 months, the petitioner has liberty to renew his prayer for bail.



The application stands rejected accordingly.

The learned counsel for the petitioner is directed to remove all the defects, if any, pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

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