

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.447 of 2022**

Arising Out of PS. Case No.-61 Year-2021 Thana- MAIN P.S. District- Gaya

PATIRAM RAM S/O LATE LACHHU RAM R/o Village and P.S.- Main,
District- Gaya

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Nagendra Sharma, Advocate
For the Respondent/s : Mr.Sadanand Paswan, APP

**CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL JUDGMENT**

Date : 18-08-2022

Heard learned counsel for the appellant and
learned APP for the State.

Let the defect (s), as pointed out by the office,
be removed within a period of four weeks from the date of
resumption of physical filing and physical removal of
defect.

This is an appeal under Section 14(A)(2) of the
Scheduled Caste and Scheduled Tribes (Prevention of
Atrocities) Act, 1989 against the refusal of prayer for bail
vide order dated 17.11.2021 passed by the learned Special
Judge POCSO-cum-Additional District and Sessions Judge-
VI, Gaya in connection with Main P.S. Case No. 61 of



2021 registered for the alleged offences under Sections 341, 354 and 354-B of the Indian Penal Code and under Sections 3(i) (r) (s) w(i)/3(2)(va) of the Scheduled Cast and Scheduled Tribes Act and Section 8 of the POCSO Act.

As per prosecution case, the appellant entered into the house of the minor informant girl on her distress call about a snake being seen at the ceiling of the house. When the appellant entered into the house, the snake went away and this appellant grabbed and sexually assaulted the minor informant girl.

Learned counsel for the appellant submits that the appellant has been falsely implicated in this case and it is a concocted story. It is also not believable that the appellant ran away from the house when the informant shouted for help since both are neighbours. The appellant is in custody since 08.09.021. Charge sheet has been submitted.

Learned APP for the State opposes the prayer for bail of the appellant.

Having regard to the facts and circumstances and considering the grave nature of allegation from which it appears that a minor girl aged about 12 years was sexually



assaulted by the appellant, I am not inclined to enlarge the appellant on bail at this stage.

Accordingly, the prayer for bail on behalf of the appellant is rejected.

The learned Trial Court is directed to expedite the trial and conclude the same within a period of nine months.

(Arun Kumar Jha, J)

Gautam/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	23.08.2022
Transmission Date	23.08.2022

