

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23445 of 2021

Arising Out of PS. Case No.-215 Year-2019 Thana- BUNIYAD GANJ District- Gaya

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LALLUYA @ SANJAY KUMAR S/O YOGENDRA YADAV R/o village-
Shekhabigha, P.S.- Buniyadganj, Distt.- Gaya

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Prithivi Raj Singh, Advocate
For the Opposite Party/s : Mr. Dashrath Mehta, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 17-01-2022 Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State in virtual court

proceeding.

Let the defects, as pointed out by the office, be

removed within four weeks of start of normal functioning of the

physical court.

Petitioner seeks bail in connection with Buniyadganj

P.S. Case No. 215 of 2019 registered for the offences

punishable under Sections 376, 376 (AB) of the IPC and 4 of

POCSO Act.

The prosecution case, in brief, is that on 10.11.2019

the informant after cutting wheat crop went to her house and

noticed that her minor daughter was sleeping on the roof. When

she asked her daughter, she disclosed that petitioner committed



wrong act with her. She along with her daughter went to police station where they were sent along with one lady constable to hospital for treatment.

Learned counsel for the petitioner submits that petitioner has clean antecedent and has committed no offence and he has falsely been implicated in the present case. It is further submitted that petitioner is co-sharer and co-villager of the informant and land dispute is going on between the parties. Petitioner is in custody since 11.11.2019.

The learned Additional Public Prosecutor opposed the prayer of bail submitting that petitioner committed a heinous crime.

Vide order dated 16.11.2021 a report was called for with regard to present stage of the trial.

Vide letter no. 528 dated 24.11.2021 report has been sent by the learned court below in which it has been reported that out of eight charge sheeted witnesses, six witnesses have been examined. It has further been reported that victim of this case is not named in column of witnesses in charge sheet but she has been examined as PW-7. It has also been reported that summon against investigating officer has already been issued.

It would appear from perusal of the aforesaid report



that trial is on the verge of conclusion and hence, I am not inclined to enlarge the petitioner on bail. Accordingly, his prayer for bail stands rejected.

(Rajesh Kumar Verma, J)

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