

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5009 of 2023

Arising Out of PS. Case No.-221 Year-2022 Thana- EKANGARSARAI District- Nalanda

PINKI DEVI Wife of Rajkumar Singh Resident of Village - Pitambarpur, P.S.-
Ghosi, District - Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Rajesh Ranjan, Advocate
For the Opposite Party/s	:	Mr.Sanjay Kumar Singh, APP
For the Informant	:	Mr.Manish Kumar, Advocate
	:	Mr. Vipin Kumar Singh, Advocate
	:	Mr. Janmejay Giridhar, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 07-08-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since 04.09.2022 in connection with POCSO Case No.113 of 2022 arising out of Ekangarsarai P.S. Case No. 221 of 2022, F.I.R. dated 05.09.2022 registered for the offence punishable under Section 376(AB),120B,34 of IPC and Sections 4 and 6 of POCSO Act, 2012.

3. The prosecution case, in short, is that the informant, who is cousin brother of the victim stating in his written report that about 20 days ago victim went to her Ganny's house, where her maternal aunt (Mami) alongwith co-accused Vinay Prasad



took her to Telhara Market by luring her with cloths and other things. It has been alleged that co-accused Vinay Prasad established sexual relation with the victim. On 04.09.2022 petitioner again tried to took her and upon her shouting co-villager catches the petitioner and handed her to the police. It is also stated that at the time of alleged occurrence victim is about 11 years old.

4. Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent and she has falsely been implicated in the present case. The allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR.

5. Vide order dated 20.06.2023, a report was called for with regard to the present status of the trial. Report of the learned Trial Court dated 04.07.2023 reveals that out of ten chargesheet witnesses, seven witnesses have already been examined and the case is pending for remaining three witnesses is yet to be examined.

6. Learned counsel for the State, on the other hand, vehemently opposed the prayer for bail of the petitioner.

7. In view of the report of the learned Trial Court, I am not inclined to enlarge the petitioner on bail in connection



with POCSO Case No.113 of 2022 arising out of Ekangarsarai
P.S. Case No. 221 of 2022 pending in the court of learned 7th
Additional Sessions Judge-cum-Special Judge, POCSO Act,
Biharsharif at Nalanda.

8. Prayer is refused.

9. However, the learned Trial Court is directed to
expedite the trial and conclude the same at the earliest.

(Rajesh Kumar Verma, J)

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