

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3153 of 2023

Arising Out of PS. Case No.-99 Year-2022 Thana- MAKHDUMPUR District- Jehanabad

Anil Kumar Son Of Vino Sao @ Vinod Sao Resident Of Village-Jitwarpur,
P.S.- Korma, District- Sheikhpura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Bipin Kumar, Advocate
For the Opposite Party/s	:	Mr.Anil Kumar, APP
For the Informant	:	Mr. Vatsal Verma, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 20-06-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and the learned A.P.P. for the State.

The petitioner seeks bail, who is in custody since 02.06.2022 in connection with Makhdumpur (Tehta O.P.)P.S. Case No. 99 of 2022, FIR dated 19.02.2022 registered for the offence punishable under Section 363 of the Indian Penal Code but the police, after investigation, submitted chargesheet under Sections 363, 366(A), 376(iii), 376, 372, 373, 370, 370(iii), 467, 468, 471, 420, 120(B) of IPC and Sections 4,6,8,10 POCSO Act and Sections 8 and 9 of Immoral Trafficking Act.

According to prosecution case, on 07.02.2022 at about 2.00P.M. the informant's minor daughter aged about 13 years had gone to Tehta market, but she did not return till evening.



Then the informant started to make search but till date she is trace-less. Informant has suspected that some one has kidnapped her.

Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent. He has falsely been implicated in the present case. The name of the petitioner has been transpired during investigation on the basis of the confessional statement of co-accused persons, namely, Ajay Yadav and Puja Ahirwal.

Learned counsel for the informant and learned APP for the State, on the basis of the material available on the record and the case diary, have vehemently opposed the prayer for bail of the petitioner and submits that the statement of the victim under Section 164 Cr. P.C. was recorded in which she has categorically stated that the petitioner and other co-accused persons have committed rape upon her and the bail petition of co-accused persons, namely, Rakesh Kumar @ Putiya, Raj Kumar, Gyan Singh, Shishupal Singh @ Pappu@ Sishupal Singh Shakya have been rejected by different Coordinate Benches of this Hon'ble Court vide orders dated 23.12.2022 and 19.04.2023 passed in Cr. Misc. Nos.57622 of 2022, 70619 of 2022, 75422 of 2022 respectively. Bail petition of co-accused



persons, namely, Vijay @Aman and Ajay Yadav have also been rejected by this Court vide order dated 13.04.2023 passed in Cr.Misc. No. 61243 of 2022 and its analogous case.

Considering the aforesaid facts, I am not inclined to enlarge the petitioner on bail in connection with with Mukhdumpur (Tehta O.P.) P.S. Case No. 99 of 2022 pending in the court of learned Additional Sessions Judge-VI-cum-Special Judge (POCSO) Act, Jehanabad.

Prayer is refused.

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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