

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61208 of 2023

Arising Out of PS. Case No.-108 Year-2023 Thana- AGIAON BAZAR District- Bhojpur

NITISH TURHA S/O RAMJI TURHA R/O VILLAGE- AMEHTA, PS.
AGIAON BAZAR, DIST. BHOJPUR (ARRAH)

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar

For the Opposite Party/s : Mr.Dr.Mrityunjaya Kr.Gautam

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

4 20-12-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Agiaon Bazar P.S. Case No. 108 of 2023 registered for the offences punishable under Sections 366(A)/34 of the Indian Penal Code and Section 8/12 of the POCSO Act.

3. As per prosecution case, the informant's daughter proceeded for shopping alongwith her cousin sister. They boarded a tempo where petitioner alongwith other was already seated. It is alleged that informant's daughter did not return home. It is further alleged that informant's daughter has been induced by the petitioner and other to leave the parental house with the intention of marriage.

4. Learned counsel for the petitioner submits that



petitioner is in custody since 12.06.2023 and bears no criminal antecedent. Petitioner is quite innocent and has committed no offence as alleged against him in F.I.R. and he has falsely been implicated in the present case.

5. The learned A.P.P. for the State vehemently opposed the prayer for bail of the petitioner by submitting that the allegation made in F.I.R. is totally consistent with the statement of victim recorded under Section 164 of Cr.P.C. and petitioner does not deserve bail.

6. Considering the facts and circumstances of the case, nature of allegation levelled against the petitioner coupled with statement of victim recorded under Section 164 of Cr.P.C. as well as material available on record, I am not inclined to grant bail to the petitioner. Accordingly, the prayer for bail of the petitioner is hereby rejected.

7. However, the learned trial court is directed to expedite the trial by putting the same on day to day basis.

(Alok Kumar Pandey, J)

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