

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8638 of 2024

Arising Out of PS. Case No.-264 Year-2022 Thana- JOGAPATTI District- West Champaran

Parshuram Mahto @ Pashuram Mahto S/O- Lal Babu Mahto R/O- Village-
Baldiha, P.S.- Jogapatti (NAWALPUR), Dist.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra, Advocate

For the Opposite Party/s : Mr. Prem Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 20-02-2024 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner has preferred this application for
grant of regular bail in connection with Jogapatti P.S. Case no.
264 of 2022 registered under sections 363A, 370A, 373 and 34
of the Indian Penal Code, section 12 of the POCSO Act, section
79 of the Juvenile Justice Act and section 3(I)(r)&(s) of the
SC/ST Act.

3. As per the prosecution case, the informant states
that the thirteen year old victim girl who was found wandering
was taken into custody through the Child Line. It transpired that
she was residing in Delhi with her uncle from where she started
for her home in Jharkhand but in the meantime the accused
petitioner at Anand Vihar station sold this victim girl by forcing
her, to an orchestra group whose owner is one Bade Mian.



4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case at the instance of his enemies. Neither does he have any contact with the girl in question nor any reason to indulge in the alleged act. The allegations are absolutely false and concocted. No details have been given. The petitioner is in custody since 21.5.2022 and charge-sheet has been submitted in the case. He has no criminal antecedent.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the F.I.R against the petitioner of having sold the 13 year old girl together with the victim having supported the allegations in her statement, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

7. Liberty is granted to the petitioner to renew his prayer for bail after framing of charge.

(Partha Sarthy, J)

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