

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21183 of 2024

Arising Out of PS. Case No.-24 Year-2023 Thana- TEYAR District- Bhojpur

Durga Giri @ Durga Devi W/o Kamlesh Giri @ Kamlesh Kumar Goshwami
Resident of Village- Tiyar, P.S.- Tiyar, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar, Advocate
For the State : Mr. Tarun Prasad Mandal, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 13-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. This is the second attempt for bail of the petitioner as earlier such prayer was rejected by order dated 23.08.2023 in Cr. Misc. No. 52075 of 2023.

3. The petitioner seeks bail in connection with POCSO Case No. 61 of 2023 arising out of Tiyar P.S. Case No. 24 of 2023 for the offences punishable under Sections 307/34, 342, 324, 326, 323 of the Indian Penal Code to which later on 302 of the IPC was added.

4. The following order was passed on 23.08.2023 in Cr. Misc. No. 52075 of 2023 which reads as under:

*“Heard learned counsel for the
petitioner and learned Additional Public
Prosecutor for the State.*

*2. The petitioner is in custody since
14.03.2023 in connection with Tiyar P.S. Case*



No. 24/2023 registered for the offence punishable under Sections 307/34/342/324/326/323 of the Indian Penal Code. Later on Section 302 of the Indian Penal Code has been added.

3. As per the prosecution case, the deceased was found in an injured condition in the house of the petitioner. The police was not informed by the petitioner. The petitioner did not take her to hospital for treatment and subsequently the deceased died.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case due to ulterior motive. It is further submitted that the entire story is false and frivolous.

5. However, learned A.P.P. appearing on behalf of the State vehemently opposed the bail application.

6. Considering the facts and circumstances of the case and also the fact that the deceased was a 12 years old child, this Court is not inclined to enlarge the petitioner on bail. It is, accordingly, rejected.”

5. This Court finds no new ground to review its earlier order dated 23.08.2023.

6. Accordingly, this application stands dismissed.

(Sandeep Kumar, J)

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