

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38704 of 2024

Arising Out of PS. Case No.-198 Year-2021 Thana- CHAND District- Kaimur (Bhabua)

Guriya Devi @ Gudiya Devi Wife of Sona Bind Resident of Village - Baghi,
P.S.- Sonhan, District - Kaimur (Bhabua).

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 40773 of 2024

Arising Out of PS. Case No.-198 Year-2021 Thana- CHAND District- Kaimur (Bhabua)

Etwari Devi WIFE OF HARI BIND VILLAGE- BAGHI PS -SONHAN
DISTRICT -KAIMUR

... .. Petitioner/s

Versus

1. The State of Bihar BIHAR
2. SHAIRUN BIBI WIFE OF KAMRUDDIN VILLAGE- CHAND, PS-
CHAND, DIST- KAIMUR

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 38704 of 2024)

For the Petitioner/s : Mr. Krishna Prasad Singh, Sr. Advocate
Mr.Rakesh Singh, Advocate

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

(In CRIMINAL MISCELLANEOUS No. 40773 of 2024)

For the Petitioner/s : Mr. Krishna Prasad Singh, Sr. Advocate
Mr.Rakesh Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 09-08-2024

1. Heard learned counsel for the parties.

2. The petitioners have renewed their prayer for

bail in connection with Chand P.S. Case no.198 of 2021

registered under sections 366A and 34 of the Indian Penal



Code.

3. As per the prosecution case, the informant states that her 16 year daughter who had gone to the market to purchase vegetables did not return and was not to be found. In course of search she came across a mobile phone number which belongs to one Lala Bind. The informants state that she is convinced that her minor daughter has been taken away for the purpose of marriage.

4. It is submitted by learned Senior counsel for the petitioners that the earlier prayer for bail of the petitioners was rejected vide order dated 9.1.2023 (Annexure-1) passed in Cr. Misc. no. 19842 of 2022. The petitioners have been falsely implicated in the case by the so called victim giving incorrect statement with the intention to save the boy in question. The petitioners are in custody since 9.1.2022 and there is no chance of the same concluding in near future. They undertake to cooperate in the trial and to abide by the conditions laid by this Court for their release on bail

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

6. A report was called for from the learned trial Court. As per report received contained in letter dated 20.7.2024



of the Spl. Judge POCSO Act-cum-ADJ, Kaimur at Bhabua, after addition of charges, on the request of defence, seven prosecution witnesses have been cross examined and discharged. The trial is likely to conclude within three months.

6. Having heard learned counsel for the parties and taking into consideration the nature of allegations in the FIR, the progress in the trial which is expected to conclude soon as per the report received, the Court is not inclined to enlarge the petitioners on bail and the application is rejected.

7. Learned trial Court is directed to expedite the trial and to conclude the same as observed in its report dated 20.7.2024.

(Partha Sarthy, J)

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