

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57445 of 2024

Arising Out of PS. Case No.-208 Year-2023 Thana- KURTHA District- Jehanabad

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Firoz Shah son of Sahabu Shah @ Shahabu Singh Village- Sajivan Dargah Ps-
Kurtha Dist- Arwal

... .. Petitioner/s

Versus

1. The State of Bihar
2. X D/O Faruqe Shah R/O Village- Sanjivan Dargah, P.S.- Kurtha, Dist- Arwal

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr. Shivendra Prasad, Advocate
For the Opposite Party/s :	Md. Mushtaque Alam, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 13-09-2024 Heard Mr. Shivendra Prasad, learned counsel for

the petitioner and Md. Mushtaque Alam, learned A.P.P. for the

State.

2. The petitioner seeks bail, who is in custody since
24.07.2023, in connection with POCSO Case No. 59 of 2023
arising out of Kurtha P.S. Case No. 208 of 2023, FIR dated
23.06.2023 for the offences punishable under Sections 366(A),
504, 506 and 34 of the Indian Penal Code and Section 04 of the
POCSO Act.

3. Earlier the prayer for bail of the petitioner was
rejected by the co-ordinate Bench of this Court vide order dated
30.01.2024 passed in Cr. Misc. No. 63121 of 2023.

4. Learned counsel for the petitioner submits that



the petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that the allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR. The petitioner is rotting in judicial custody since 24.07.2023 and trial has not been concluded as yet.

5. Learned APP for the State vehemently opposed the prayer for bail of the petitioner and submits that the petitioner is named in the FIR and statement of the victim was recorded under Section 164 Cr.P.C. in which she has categorically stated that the petitioner has forcibly abducted her and brought her to Patna.

6. Vide order dated 08.08.2024, a report with regard to the present status of the trial was called for. Report of the learned Trial Court dated 23.08.2024 reveals that out of five charge-sheet witnesses, two witnesses have already been examined as yet.

7. Considering the nature of the allegation in the FIR supported by the victim as well as the report of the learned trial Court, I am not inclined to enlarge the petitioner on bail in connection with POCSO Case No. 59 of 2023 arising out of Kurtha P.S. Case No. 208 of 2023 pending in the Court of



learned Additional Sessions Judge VI Cum Special Judge
POCSO Act, Jehanabad.

8. Prayer is refused.

9. 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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