

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81113 of 2023

Arising Out of PS. Case No.-707 Year-2022 Thana- BARACHATTI District- Gaya

Arvind Kumar @ Arvind Kumar Manjhi Son Of Indradeo Manjhi R/O
Village- Piprahi, P.S.- Barachatti, District- Gaya

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nand Kishore Prasad Sinha, Advocate
For the Opposite Party/s : Mr. Rajendra Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 05-01-2024 Heard Mr. Nand Kishore Pd. Sinha, learned counsel
for the petitioner and Mr. Rajendra Singh, learned Additional
Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
25.08.2022 in connection with Barachatti P.S. Case No. 707 of
2022, F.I.R. dated 12.08.2022 for the offences punishable under
Sections 363, 366A, 120B of the Indian Penal Code and Section
8 of the POCSO Act.

3. Earlier the bail application of the petitioner has been
rejected vide order dated 08.05.2023 passed in Cr. Misc. No.
7593 of 2023.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been
implicated in the present case. He further submits that the
allegation as alleged in the F.I.R. is false and fabricated and the



petitioner has not committed any offences as alleged in the F.I.R. In fact, the petitioner was in love with the victim and with the consent of the victim the present occurrence has been taken place.

5. Vide order dated 15.12.2023 a report was called with regard to the present stage of trial. Report of the learned Trial Court dated 21.12.2023 reveals that out of five charge sheet witnesses, three witnesses have already been examined and the case is pending for examination of rest of the witnesses.

6. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

7. Considering the report of the learned Trial Court as well as the nature of allegation, I am not inclined to enlarge the petitioner on bail in connection with Barachatti P.S. Case No. 707 of 2022 pending in the court of learned Exclusive Special Judge POCSO cum Additional Sessions Judge VII, Gaya.

8. However, learned Trial Court is directed to expedite and conclude the trial at the earliest.

9. Prayer is refused.

(Rajesh Kumar Verma, J)

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