

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1881 of 2024

Arising Out of PS. Case No.-111 Year-2023 Thana- DEV District- Aurangabad

=====

BIRJU RAVIDAS @ BIRJU RAM S/O SATRUGHAN RAVIDAS R/O
VILLAGE- PRIYATAM BIGHA, P.S- DEO, DISTT.- AURANGABAD,
BIHAR.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. RENU KUMARI D/O SIYARAM PASWAN R/O VILLAGE- PRIYATAM
BIGHA, P.O- SILAD, P.S- DEO, DISTT.- AURANGABAD, BIHAR.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. N.K Agrawal, Sr. Advocate

Mr. Yugal Kishore, Advocate

Ms. Rupa Kumari, Advocate

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

=====

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 21-03-2024 1. Heard learned Senior 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 Deo P.S Case no.111 of
2023, [G.R. (POCSO) no.52 of 2023], registered under sections
376 and 328 of the Indian Penal Code and sections 4 and 6 of
the POCSO Act.

3. As per the prosecution case, the informant states
that she got into the tempo being driven by the petitioner. On
eating some articles given by this petitioner, it is stated that she
passed out and on regaining consciousness, she realized that she
had been raped by this petitioner.



4. Learned Senior counsel for the petitioner submits that the petitioner has been falsely implicated in the case. It was the petitioner and informant who were on friendly terms. Referring to the deposition of the informant in course of investigation, which has been brought on record as annexure to the instant petition, it is submitted that even today the victim is ready to marry and live with the petitioner. The matter can be settled amicably. The petitioner is in custody since 3.6.2023 and shall cooperate in the trial.

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 the report received contained in letter dated 2.2.2024 of the Additional Sessions Judge-VI-cum-Exclusive Special Judge, POCSO Act, Aurangabad, all prosecution witnesses except the Investigating Officer have been examined.

7. Having heard learned counsel for the parties and taking into consideration the nature of allegation against the petitioner in the FIR together with the trial having reached near its conclusion in the learned trial Court, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

8. The Superintendent of Police, Aurangabad is



directed to ensure the appearance of the Investigating Officer of the case in the trial Court for his examination at the earliest.

9. Learned trial Court is directed to expedite the trial and to conclude the same preferably within a period of three months from the date of examination of the Investigating Officer.

(Partha Sarthy, J)

Shiv/-

U		T	
---	--	---	--

