

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44332 of 2015

Arising Out of PS.Case No. -17 Year- 2014 Thana -MALAYPUR District- JAMUI

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Dina Das @ Dinesh Das Son of Late Khiru Das, resident of Village- Deba Chouk, P.S. Malaypur, District- Jamui.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Jitendra Narain Sinha, Advocate.

For the Opposite Party : Mr. Shailendra Kr.Singh (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

2 16-09-2015 Heard learned counsel for the petitioner as well the learned A.P.P. for the State.

The petitioner wants to renew his prayer for bail which was earlier rejected by order dated 22.10.2014 passed in Cr. Misc. No. 38688 of 2014 on the ground that neither the victim nor the medical officer are named in the charge-sheet as witnesses and this goes to indicate that the petitioner has been falsely implicated, to which the learned A.P.P. opposes by submitting that the trial is in progress and omission of the Investigating Officer to mention the victim and the medical officer as witnesses in the charge sheet is no good ground to allow prayer for bail of the petitioner.

Considering that trial is in progress and three prosecution witnesses have already been examined who have supported the prosecution case as is evident from the impugned

order dated 01.08.2015 and as such finding no good ground for reconsideration of prayer for bail, the prayer for bail of the petitioner is hereby rejected in connection with S.T. No. 185 of 2014 (POCSO- 03/2014) arising out of Malaypur P.S. Case No. 17 of 2014 pending in the court of 1st Additional District & Sessions Judge, Jamui.

However, the trial court is directed to expedite the trial and to conclude the same as per amended proviso of section 309 of the Cr. P.C.

(Jitendra Mohan Sharma, J)

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