

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52325 of 2015

Arising Out of PS.Case No. -116 Year- 2014 Thana -ISHOPUR District- BHAGALPUR

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Dhena Ansari Son of Md. Mansoor Ansari resident of Village -Shampur,
P.S. Ishipur Barahat, District Bhagalpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Bhola Prasad, Advocate.

For the Opposite Party : Mr. Pranav Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 04-05-2016 Heard Mr. Bhola Prasad the learned counsel for the

petitioner and the learned APP.

The petitioner has renewed his prayer for bail. Prayer
for bail of the petitioner in Sessions Trial No. 181 of 2015, arising
out of Ishipur (Barahat) P.S. Case No. 116 of 2014 was earlier
rejected vide orders passed in Cr. Misc. No. 6821 of 2015 on
30.03.2015 with a direction to conclude the trial, but the trial has
not yet been concluded.

It appears from the report of the learned 1st Additional
Sessions Judge-cum-Special Judge (POCSO), Bhagalpur that all
the prosecution witnesses except the Investigating Officer have
already been examined and the case is pending for examination of
the Investigating Officer after 03.12.2015.

It has been submitted that even after lapse of four months the Investigating Officer has not been examined.

Considering the nature of allegation made against the petitioner, I am not inclined to enlarge the petitioner above named on bail. Accordingly, the same is rejected.

However, the trial court is directed to take all efforts for examination of the Investigating Officer and conclude the trial positively within four months from the date of receipt of this order.

The Sr. S.P., Bhagalpur is directed to ensure the attendance of the concerned Investigating Officer on the date fixed for examination so that the trial must be concluded within stipulated period.

Let a copy of this order be communicated through Fax to the court of the learned 1st Additional Sessions Judge-cum-Special Judge (POCSO), Bhagalpur as well as the Sr. S.P., Bhagalpur for proper compliance of the order of this Court.

(Prabhat Kumar Jha, J.)

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