

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20514 of 2016

Arising Out of PS.Case No. -151 Year- 2013 Thana -RAJAULI District- NAWADA

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Vikesh Kumar @ Bhalu S/O Binod Singh, R./Village- Karigoan, P.S.-
Rajauli, Dist.- Nawada.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nitya Nand Neeraj

For the Opposite Party/s : Mr. Uma Shankar Pd. Singh, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 18-05-2016

Heard the parties.

The prayer for bail with respect to a criminal prosecution registered under Section 376 of the Indian Penal Code as also under Section 6 of the Protection of Children from Sexual Offences Act, 2012 was earlier rejected by order dated 20.02.2015 passed in Cr. Misc. No. 48175 of 2014 on the ground that the petitioner is alleged to have subjected to a minor girl aged about 3 ½ years to rape. However, liberty was granted to the petitioner to renew his prayer for bail if the trial is not concluded within a period of one year without there being any fault on the part of the petitioner.

After the aforesaid order dated 20.02.2015, the petitioner moved before the learned trial court for grant of bail, which has been rejected by the impugned order dated 03.03.2016. In the impugned order it has been recorded that the charge against the petitioner was framed on 30.07.2015 and thereafter trial commenced and two witnesses were examined. It has further been recorded in the impugned order that by filing frivolous petitions, the petitioner has delayed the disposal of the trial.

In view of the nature of allegation as mentioned in paragraph-2 of the order and in view of the fact that the trial of the petitioner has already commenced and some witnesses have already been examined, this Court is not inclined to accede to the prayer of the petitioner for grant of bail. Accordingly, the prayer for bail in connection with Rajauli P.S. Case No. 151 of 2013, giving rise to Spl Case No. 01 of 2013, pending in the court of the learned A.C.J., 1st Nawada is rejected once again.

However, the learned trial court is directed to make all endeavours to conclude the trial of the petitioner within a maximum period of six months from the date of receipt/production of a copy of this order and the petitioner shall be obliged to cooperate in early conclusion of the trial.

(Birendra Prasad Verma, J)

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