

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1569 of 2016

Arising Out of PS.Case No. -126 Year- 2013 Thana -DALSINGHSARAI District- SAMASTIPUR

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Md. Mujib @ Md. Mojeeb Son of Samsul Resident of Village- Babupur,
Salkhani, Ps. Dalsingsari, District Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar

For the Opposite Party/s : Mr. Binod Kumar 2(App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

2 03-02-2016 Heard learned counsel for the petitioner and learned
A.P.P. representing the state.

The petitioner wants to renew his prayer for bail which was earlier rejected vide order dated 18.11.2013, 03.09.2014 and 23.09.2015 passed in Cri. Misc. Nos. 47487/13, 30312/14 and 45330/15 on the ground that trial has not been concluded within the time framed by this Court and, as such, the petitioner, who is suffering in custody since 30.06.2013, deserves sympathetic consideration, to which the learned A.P.P opposes.

From perusal of impugned order dated 26.11.2015, it reveals that the case has been transferred to special judge as the offence is punishable under POCSO Act.

In view of the facts and circumstances above, the

learned special judge shall take all positive steps to conclude the trial, after taking the same on day to day basis as per amended proviso of Section 309 Cr.P.C.

However, considering the allegation, at present this Court is not inclined to enlarge the petitioner on bail and accordingly, such prayer stands rejected.

The petitioner may renew his prayer for bail after remaining in custody for two months further, if he will be at no fault during trial.

(Jitendra Mohan Sharma, J)

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