

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.812 of 2016

Arising Out of PS.Case No. -14 Year- 2013 Thana -MAHILA P.S. District- SEKHPURA

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Gopal Kumar @ Govind Kumar, S/o Janardan Saw, r/v Jaymangla, P.S. &
District- Sheikhpura.

.... Appellant/s

Versus

The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Sudish Kumar

For the Respondent/s : Mr. Sri Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

7 08-02-2017 Heard both sides.

Prayer for bail of the petitioner was earlier rejected by the order dated 16.09.2015 passed in Cr. Misc. No. 36425/2015 with a direction to the trial court to expedite the trial and conclude the same within six months from the date of receipt of the order.

Learned counsel for the petitioner seeks bail in Sheikhpura (Mahila) P.S. Case No. 14/2013, corresponding to POCSO No. 05/2013 with a direction to the trial court to conclude the trial within six months.

It is submitted that the trial has not yet been concluded, although order was passed on 16.09.2015. More than one year and four months have already lapsed *but* from perusal of the report of the learned 1st Additional Sessions Judge, Sheikhpura, it appears that the court was vacant and the case record was received in his



court only on 18th August, 2016. Six prosecution witnesses have already been examined and only the victim, besides two I.Os. are yet to be examined.

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

Accordingly, the appeal is dismissed with direction to the trial court to hold the trial on day to day basis and conclude the same within three months from the date of receipt of a copy of this order.

The Superintendent of Police, Sheikhpura is directed to ensure the attendance of remaining witnesses in the court of 1st Additional Sessions Judge, Sheikhpura so that the trial must be concluded within three months. If the trial is not concluded within the stipulated period, the petitioner may renew his prayer.

(Prabhat Kumar Jha, J.)

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