

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37274 of 2017

Arising Out of PS.Case No. -127 Year- 2016 Thana -SISWAN District- SIWAN

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1. Santosh Mahato, son of Kashi Nath Mahato, Resident of Village-Nawada, P.S.- Chainpur (Siswan O.P.), Mirganj, District- Siwan.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh

For the Opposite Party/s : Mr. Sri Satya Nand Shukla

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 30-08-2017 The petitioner seeks regular bail in connection with Sishwan P.S. No. 127 of 2016 for the offence punishable under Section 363, 376/34 of Indian Penal Code and Section 4/6 of POCSO Act.

It has been submitted by learned counsel for the petitioner that though petitioner's application for bail was earlier rejected by this Court vide order dated 16.01.2017 passed in Criminal Miscellaneous No. 48840 of 2016, however, now certain new facts has emerged in this case as the victim girl has now been examined and she has not supported the prosecution case and has not made any allegation against the petitioner.

Heard learned A.P.P. also.

Having heard both sides, considering the fact that



earlier the prayer for bail of the petitioner was rejected on merit by this Court vide order dated 16.01.2017 passed in Criminal Miscellaneous No. 48840 of 2016, as such, I am not inclined to release the petitioner on bail, accordingly, this application is dismissed.

However, in view of the fact that petitioner has been in judicial custody since 30.08.2016, the trial court is directed to expedite the trial and try to conclude it within a period of six months and if the trial is not concluded within the aforesaid period, the petitioner will be at liberty to renew his prayer for bail in the Trial Court itself, who will dispose of the application of the petitioner, considering the materials available on record, without being prejudiced by the order of this Court.

(Vinod Kumar Sinha, J)

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