

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50864 of 2017

Arising Out of PS.Case No. -678 Year- 2015 Thana -BIHTA District- PATNA

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Bihari Mahto @ Pagla

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sucheta Yadav

For the Opposite Party/s Mr. S.M. Rahman

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

02 18.10.2017 Heard learned counsel for the petitioner as well as learned
Addl. Public Prosecutor for the State.

Earlier prayer for bail of the petitioner was twice rejected by this court taking note of allegation leveled against the petitioner as well as nature of the case but again, bail of the petitioner is sought on the ground that in course of trial, victim has only stated that the petitioner was also present there and, therefore, the aforesaid statement of the victim goes to show that the petitioner was witness but he has been falsely implicated in the case.

I am not at all convinced with the aforesaid submissions and again, I am not inclined to release the petitioner on bail and hence, his prayer for bail in connection with Special POCSO case no. 127/2015 arising out of Bihta P.S. Case no. 678/2015 pending in the court of Addl. Sessions Judge I-cum- Special (POCSO) Judge, Patna stands rejected.

However, learned trial court is directed to expedite the trial



of the petitioner and try to conclude the same as early as possible, preferably, within six months from the date of receipt/production of a copy of this order even by taking trial of the petitioner on day to day basis.

However, if the trial of the petitioner is not concluded within the above stated period of six months due to laches of the prosecution, petitioner may renew his prayer for bail before the trial court itself.

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(Hemant Kumar Srivastava,J)

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