

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13215 of 2017

Arising Out of PS.Case No. -60 Year- 2015 Thana -MAHILA P.S. District- MADHEPURA

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Janardan Yadav, Son of Late Chhabu Yadav, Resident of Village-
Madhuban, P.S.+District- Madhepura.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra, Adv.
Mr. Dhananjay Kumar Gupta, Adv.
For the Opposite Party/s : Mr. Mukeshwar Dayal, Adv.

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

3 10-05-2017 Heard learned counsel for the petitioner and

learned counsel for the State.

In this case, the petitioner is seeking regular bail in connection with POCSO Special Case No. 8 of 2015 (arising out of Mahila Madhepura P.S. Case No. 60 of 2015), registered for the offence punishable under Section 376 of the Indian Penal Code and under Section 4 of the POCSO Act.

This Court has received the status report of the case from the Additional Sessions Judge, 1st –cum- Special Judge, POCSO Act, Madhepura, from where it appears that at the time of framing of charge the petitioner has filed an application for discharge, which was rejected. Out of six witnesses, five witnesses have been examined and only I.O. is



to be examined. On 10.02.2017, a petition has been filed for examination of victim girl, who has not been named in the column of the prosecution witnesses; the petitioner has filed a rejoinder on 17.02.2017, which is still pending.

The petitioner, at one place, is trying to prolong the disposal of the case by taking all opportunity to prevent the early conclusion of the trial, but before this Court he is taking plea of prolongation of trial and making prayer for bail.

The matter relates to POCSO act, where a girl aged about 10-12 years has been put to sexual assault.

In such view of the matter, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for bail is rejected. However, the Trial Court is directed to conclude the trial as early as possible.

(Shivaji Pandey, J)

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