

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.33718 of 2017**

Arising Out of PS.Case No. -180 Year- 2016 Thana -BEUR District- PATNA

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Anil Rai, son of late Kameshwar Rai, Resident of Village- Goraiya  
Ashthan, Nilkanth Tola, Police Station- Maner, District- Patna, At present  
Madhusudhan Nagar, Nabab Path Harnichak, P.S.- Beur, District Patna.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Ramchandra Singh

For the Opposite Party/s : Mr. Sri Bhanu Pratap Singh

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**CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR**  
**ORAL ORDER**

3      30-08-2017                      Heard learned counsel for the petitioner and  
  
learned APP for the State.

Petitioner seeks bail in a case registered for the  
offences punishable under Section 376 of the Indian Penal Code as  
well as Section 6 of the POCSO Act.

This is the second attempt of the petitioner for  
grant of regular bail in connection with Beur P.S. Case No. 180 of  
2016 registered for offence under Section 376 of the Indian Penal  
Code as well as Section 6 of the POCSO Act.

Allegation against the petitioner is of commission  
of rape against the informant, the minor girl.

The petitioner is in custody since 21.07.2016.

The report of the learned trial Judge reveals that  
charges have already been framed in this case and the case is



running for prosecution evidence.

Considering the nature of allegation against the petitioner, I am not inclined to enlarge him on bail in connection with Special (POCSO) Case No. 98 of 2016 arising out of Beur P.S. Case No. 180 of 2016 pending in the court of learned 1<sup>st</sup> Additional Sessions Judge-cum-Special Judge (POCSO), Patna.

Hence, prayer for bail is refused.

However, the learned trial court as well as the Senior Superintendent of Police, Patna are directed to conclude the trial preferably within six months from the date of receipt of a copy of this order without allowing any unnecessary adjournment on frivolous grounds, failing which the petitioner would be at liberty to renew his prayer for bail.

It is made clear that if the petitioner would be non-cooperative in prosecution of the trial his prayer may not be considered favourably.

**(Birendra Kumar, J)**

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