

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.57677 of 2017

Arising Out of PS.Case No. -103 Year- 2016 Thana -BAKHRI District- BEGUSARAI

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Sushil Kumar Son of Ganga Ram Mahto Resident of village- Ratan, Police
Station- Bakhri, District- Begusarai

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar

For the Opposite Party/s : Mr. Sri Arun Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

3 13-12-2017 Heard learned counsel for the petitioner and the

learned APP for the State.

Petitioner, already in custody, seeks bail in connection
with Bakhri (Parihari) P.S. Case No.103 of 2016, registered under
Section 377 of the Indian Penal Code as well as under Sections 6,
7 and 8 of the POCSO Act.

Learned counsel for the petitioner submits that the
witnesses were declared hostile. However, allegation is of
sodomizing a 2½ years old child and doctor and I.O. are still to be
examined in this case.

Considering the nature of allegation, this Court is not
inclined to grant bail to the petitioner. Accordingly, the prayer of
bail of the petitioner in connection with Bakhri (Parihari) P.S.
Case No.103 of 2016, pending in the court of learned Additional



Sessions Judge-I-cum-Special Judge, POCSO Act, Begusarai is rejected.

However, the trial court is directed to expedite the trial as only two official witnesses are to be examined and preferably conclude the same within a period of three months from the date of receipt of a copy of this order.

Let a copy of this order be sent to the Superintendent of Police, Begusarai to ensure production of the said official witnesses.

(Arun Kumar, J.)

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