

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15630 of 2017

Arising Out of PS.Case No. -33 Year- 2015 Thana -DANDKHORA District- KATIHAR

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Bijay Hembram @ Vijay Hembram, Son of Bittan Hembram, resident of
Village- Sarmati, P.S.- Dandkhora, District- Katihar.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimal Kumar

For the Opposite Party/s : Mr. Sri Iftekhar Mahmood

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3 26-04-2017 Heard Sri Bimal Kumar, learned counsel for the

petitioner and Sri Madan Kumar, learned Additional Public

Prosecutor .

This is second attempt for grant of bail on behalf of the
petitioner.

The petitioner, is in custody in Dandkhora P.S. Case
No. 33 of 2015 registered for the offences under Sections 376/
323/ 120(B) of the Indian Penal Code and Section 4 of the
Protection of Children from Sexual Offences Act, 2012. His
prayer for bail was rejected on 12.04.2016 vide Cr. Misc. No.
7081 of 2016. His prayer for bail was rejected primarily on the
ground that the victim in her statement recorded under Section
164 of the Cr.P.C. had corroborated the allegation and victim
was minor .



In this case by order dated 12.04.2017 a report was called for from the court below regarding present status of the case which has been received and kept at flag 'A'. Report dated 18th April, 2017 of the learned Additional Sessions Judge, I- cum- Special Judge, Katihar shows that in the case on 18.8.2016 charge was framed and out of 10 prosecution witnesses, two prosecution witnesses have already been examined .

Considering the fact that trial is going on, there is no reason to review my earlier order. However in view of the fact that petitioner is in custody since 08.07.2015, as stated by learned counsel for the petitioner, while rejecting prayer for bail again it is necessary to observe that the learned trial court may take steps for early disposal of the case. If possible, he may take up the matter at least once in a week.

(Rakesh Kumar, J)

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