

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41110 of 2017

Arising Out of PS.Case No. -6 Year- 2017 Thana -UDAKISHANGANJ District- MADHEPURA
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1. Pinku Yadav, Son of Bhupender Yadav,
2. Rajesh Kumar Son of Gajender Yadav, Both R/o Village- Karauti, Ward No.- 13, P.S.- Uda Kishanganj, District- Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Madheshwar Singh

For the Opposite Party/s : Mr. Sri Mukeshwar Dayal

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA**

ORAL ORDER

3 07-02-2018 Heard both sides.

The petitioner seeks bail in Uda Kishanganj P.S. Case No.06 of 2017 registered under Sections 377/34 of the Indian Penal Code and Section 4 of the POCSO Act.

The learned counsel for the petitioner submits that the prayer for bail of the petitioner was earlier rejected vide order dated 17.04.2017 passed in Cr. Misc. No.12112 of 2017 but the trial has not yet been commenced. Petitioner is in jail since 17.01.2017 and not even a single witness has been examined. A report was called for from Special Judge, POCSO, Madhepura and the learned Special Judge reported that the trial of the case will be concluded within six months.



Considering the facts aforesaid and the nature of allegation made against the petitioner, I am not inclined to grant bail to the petitioner. Accordingly, the prayer for bail is hereby rejected.

The trial Court is directed to conclude the trial within six months from the date of receipt of a copy of this order.

The S.P., Madhepura is also directed to ensure the attendance of all the witnesses before the Special Judge, POCSO, Madhepura for their evidence.

Let a copy of this order be sent to the learned Special Judge, POCSO, Madhepura and Superintendent of Police, Madhepura, for information and needful. If the trial is not concluded within six months from the date of production of a copy of this order, the petitioner may renew his prayer for bail.

(Prabhat Kumar Jha, J)

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