

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29264 of 2018

Arising Out of PS. Case No.-70 Year-2015 Thana- MAHILA P.S. District- Saharsa

Ramakant Sharma, Son of Late Fani Lal Tanti, Resident of Village- Korlahi,
Ward No. 39, P.S. & District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Subesh Sharma, Advocate

For the Opposite Party/s : Mr. Smt. Pronati Singh (APP)

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 27-06-2018 Heard learned counsel for the petitioner, learned
counsel for the informant and learned counsel representing the
State.

The petitioner wants to renew the prayer of bail which was earlier rejected vide orders dated 12.04.2016 and 22.12.2017 passed in Cri. Misc. No. 6553 of 2016 and Cr. Misc. No. 62166 of 2017 respectively, on the ground that the petitioner is suffering in custody since 19.11.2015, he is an old man aged about 63 years, the date of occurrence is 16.11.2015 whereas the case has been instituted on 18.11.2015 and due to previous enmity he has been implicated. The trial has not been concluded within the time granted by this court and, as such, the petitioner deserves sympathetic consideration.



The learned A.P.P. duly assisted by the learned counsel for the informant opposes the prayer of bail by submitting that the petitioner has committed rape with minor grand daughter of the informant who is dumb and the petitioner fled away after leaving his scarf.

In the facts and circumstances stated above, at present, finding no good ground for reconsideration of prayer of the bail, again prayer of the bail of the petitioner stands rejected in connection with POCSO Case No 38 of 2015 (arising out of Saharsa Town Mahila P.S. Case No. 70 of 2015) pending in the court of learned Additional Sessions Judge-cum-special Judge, Saharsa.

However, considering the period of detention, the learned trial judge is directed to expedite the trial and conclude the same as early as possible, preferably within two months from the date of receipt/production of a copy of this order.

(Jitendra Mohan Sharma, J.)

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