

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14918 of 2018

Arising Out of PS.Case No. -312 Year- 2016 Thana -TAJPUR District- SAMASTIPUR

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1. Md. Shamshad @ Md. Nazim, Son of Late Md. Mokim, Resident of Village- Murgiya Chowk, N.H., Police Station- Bangra, District- Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh

For the Opposite Party/s : Mr. Sri Bharat Bhushan

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 20-06-2018 Heard both sides.

The petitioner seeks bail in Tajpur (Waini) P.S. Case No.312/2016, corresponding to G.R. No.2638 of 2016, registered under Sections 376(D), 354(B), 448, 341, 323, 504, 506 and 509/34 of the Indian Penal Code and Section 4/8 of POCSO Act.

The learned counsel for the petitioner submits that the prayer for bail of the petitioner was earlier rejected vide order dated 16.05.2017 passed in Cr. Misc. No.19197 of 2017 but the trial has not yet been concluded. On such, a report was called for from 1st Additional Sessions Judge (POCSO Act), Samastipur and it has been reported that all the prosecution witnesses have already been examined and the case was fixed on 28.05.2018 for recording



the statement of the accused.

This fact shows that the trial is at the fag end.

Taking into consideration the aforesaid fact and the nature of allegation made against the petitioner and the fact that the trial is at the fag end, I am not inclined to enlarge the petitioner on bail. Accordingly, the same is rejected in connection with Tajpur (Waini) P.S. Case No.312/2016, corresponding to G.R. No.2638 of 2016, pending in the court of learned 1st Additional Sessions Judge-cum-Special Judge, Samastipur.

(Prabhat Kumar Jha, J)

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