

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49030 of 2018

Arising Out of PS. Case No.-213 Year-2016 Thana- MAHILA P.S. District- Bhojpur

Om Prakash Gupta, Son of Sri Shiv Shankar Gupta @ Bala Jee, resident of
Village- Jamira, Police Station- Ara Muffasil, District Bhojpur, Ara.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimal Kumar

For the Opposite Party/s : Mr. Sri Ataur Rahman

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 31-10-2018 Heard Mr. Akhileshwar Prasad Singh, the learned
senior counsel for the petitioner and the learned APP for the
State.

The petitioner seeks bail in POCSO Case No.51 of
2016, arising out of Mahila P.S. Case No.213 of 2016, registered
under Sections 376, 379 and 506 of the Indian Penal Code.

The learned counsel for the petitioner submits that the
prayer for bail of the petitioner was earlier rejected vide order
dated 21.03.2018, passed in Cr. Misc. No.3409 of 2018 with a
direction to the trial court to expedite the trial and conclude the
same within four months from the date of receipt/production of
a copy of this order but the trial has not been concluded. It is
submitted that the petitioner deserves bail but a report was
called for. The learned trial court reported that the evidence of



the prosecution was closed on 11.05.2018. The statement of the accused was recorded under Section 313 Cr.P.C. on 26.06.2018 and since then the trial is pending for the defence evidence. On 01.08.2018 the accused filed a petition to issue summons to Anju Devi for her examination as a defence witness. The next date was 20.08.2018.

Taking into consideration the fact that the trial is now pending at the instance of the accused for adducing defence evidence, I am not inclined to enlarge the petitioner on bail. Accordingly, the prayer of bail of the petitioner is rejected.

(Prabhat Kumar Jha, J)

S.KUMAR/-

U		T	
---	--	---	--

