

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48837 of 2018

Arising Out of PS. Case No.-111 Year-2017 Thana- AMAUR District- Purnia

Md. Prawej @ Prawej Alam, S/o Md. Mobin, Resident of Village- Hatgachhi,
P.S.- Amour, District- Purnia.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Anand, Advocate

For the Opposite Party/s : Mr. Sunil Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 12-12-2018

Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

The petitioner is languishing in custody for the offences punishable under Section 376 of the Indian Penal Code and Section 4/6 of the POCSO Act in connection with Amour P.S. Case No.111 of 2017.

Allegation against the petitioner is of commission of rape against a minor girl.

Earlier this Court had refused the prayer for bail on 12.03.2018 in Cr. Misc. No.63020 of 2017.

The report of the learned trial Judge would reveal that five prosecution witnesses have already been examined in this case during course of the trial till 25.09.2018.

Submission of the learned counsel for the petitioner



is that at Annexure-3 there is a copy of petition dated 10.07.2018 filed by the petitioner before the learned Court-below for a direction to the Civil Surgeon, Purnea, to constitute a Medical Board for conducting DNA test of the petitioner. Submission is that no order has been passed on that petition uptill now.

The trial Judge is expected to dispose of the petition according to law.

With the aforesaid observation, I am not inclined to enlarge the petitioner on bail. Hence, the prayer for bail is refused.

(Birendra Kumar, J)

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