

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9943 of 2018

Arising Out of PS. Case No.-167 Year-2016 Thana- SAHARSA District- Saharsa

Md. Khurshid @ M. D. Khrshid, Son of Md. Murshid, Resident of Village-
Nariyar, Ward No. 3, Police Station & District- Saharsa.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Sanjeev Verma, Adv.
For the Opposite Party/s : Mr. Dinesh Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3 21-03-2018 Heard Sri Sanjeev Verma, learned counsel for the
petitioner and Sri Dinesh Singh, learned Addl. Public
Prosecutor.

This is second attempt for grant of bail on behalf of the
petitioner, who is in custody since 09.03.2016 in Saharsa Sadar
P.S. Case No.167 of 2016 registered for the offence under
Sections 363, 366A/34 of the Indian Penal Code and later on
Section 4 of the Protection of Children from Sexual Offences
Act, 2012 was added.

Earlier, the prayer for bail of the petitioner was rejected on
18.08.2016 vide Cr.Misc.No.32140 of 2016 on merit.

Earlier, on 21.02.2018 a report was called for from the
court below, which was received and kept at Flag-A. The report
contained in letter no.29/18 dated 15.03.2018 sent under the



signature of Sri Raghvendra Mani Tripathi, learned 1st Addl. Sessions Judge-cum- Special Judge, Saharsa indicates that in the case, charge has already been framed and trial has commenced.

Since in the case, trial has already commenced, there is no reason to review my earlier order. The petition stands dismissed.

However, while dismissing the present petition, considering the fact that the petitioner is in custody since 09.03.2016, it is necessary to observe that the learned trial Judge and the prosecution may take appropriate steps, so that the case may come to its logical end without unnecessary delay.

The concerned Superintendent of Police is directed to ensure production of witnesses, as and when required by the learned trial Judge.

Let a copy of this order be sent to the concerned Superintendent of Police.

(Rakesh Kumar, J)

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