

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8095 of 2018

Arising Out of PS.Case No. -50 Year- 2017 Thana -MAHILA P.S. District- BHABHUA (KAIMUR)

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Satyendra Rai, Son of Mithilesh Rai, Resident of Village-Diwane, P.S.-
Chand, District-Kaimur at Bhabhua.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Rajani Kant Pandey, Adv.

For the Opposite Party/s : Mr. Sri Shyameshwar Dayal, APP.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 09-02-2018 Heard learned counsel for the petitioner and

learned APP for the State.

Petitioner seeks bail in a case registered for
the offences punishable under Sections 366(A)/376/120(B)
of the Indian Penal Code and Section 4 of POCSO Act, 2012.

According to FIR, the petitioner and co-
accused Madan Rai allegedly kidnapped to the informant by
serving some intoxicant substance. The victim was examined
during course of trial and stated that co-accused had
committed rape against her and the petitioner was holding
her at that time. In the cross examination, she had denied
that any one committed anything wrong with her.

The appreciation of evidence is business of
the learned trial court.

Considering the material against the



petitioner and nature of allegation, I am not inclined to enlarge him on bail in connection with Mahila (Bhabhua) Police Station Case No. 50 of 2017 pending in the court of learned Additional Sessions Judge-I-cum-Special Judge (POCSO Act), Kaimur at Bhabhua/successor court.

Hence, prayer for bail is refused.

However, the learned trial court is directed to conclude the trial within six months from the date of receipt/production of a copy of this order. If the trial is not concluded within the aforesaid period, the petitioner would be at liberty to renew his prayer for bail before the learned trial court itself.

(Birendra Kumar, J)

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