

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26846 of 2018

Arising Out of PS.Case No. -246 Year- 2016 Thana -MARHAURA District- SARAN

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1. SANJIT KUMAR @ BHOLA @ SANJEET KUMAR, S/o Lalan Sah,
resident of Village- Dhenuki, P.S.- Marhowrah, District- Saran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sharma

For the Opposite Party/s : Mr. Sri Yogendra Kumar

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

4 20-06-2018 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

There is specific allegation of gang rape against the petitioner. Earlier his prayer for bail was rejected by this Court but admittedly, petitioner is in jail custody since 03.06.2016 and up till now his trial could not be concluded. The trial court has reported that out of 5 proposed prosecution witnesses only 3 prosecution witnesses including mother and brother of the informant have been examined but so far as the victim is concerned, S.H.O, Ishuapur vide DR No. 926 /17 dated 5.8.2017, reported to the trial court that victim has been kidnapped for which Ishuapur P.S.Case No. 22 of 2017 for the offence punishable under section 366(A) of the Indian Penal Code has



been registered.

Considering the aforesaid facts and circumstance as well as submission of the parties, again, I am not inclined to release the petitioner on bail and hence, his prayer for bail in connection with POCSO Case No. 19/16 arising out of Morhowrah P.S.Case No. 246 of 2016, pending in the court of learned Additional Sessions Judge-I cum Special Judge POCSO Act, Saran at Chapra stands rejected.

However, the learned trial court is directed to conclude the trial of the petitioner within four months from the date of receipt/ production of a copy of this order, failing which the petitioner may renew his prayer for bail before the trial court itself.

(Hemant Kumar Srivastava, J)

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