

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51363 of 2018

Arising Out of PS.Case No. -221 Year- 2014 Thana -BIHRA District- SAHARSA

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1. Parash Jha @ Parash Kumar Jha S/o Gauri Shankar Jha @ Gauri Jha, R/o
Vill.- Sihoul , P.S.- Bihra, District- Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Mishra

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

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA**

ORAL ORDER

2 26-09-2018 Heard both sides.

The petitioner seeks bail in POCSO Case No.4/2015,
arising out of Bihra P.S. Case No.221/2014 registered under
Sections 363, 366(A), 34, 376, 120(B) of the Indian Penal Code
and Section 4 of POCSO Act.

Learned counsel for the petitioner submits that the
prayer for bail of the petitioner was lastly rejected vide order dated
24.01.2018 passed in Cr. Misc. No.59997 of 2017 with a direction
to the trial court to conclude the trial within one month, as the
petitioner is in jail since 01.01.2015. It is submitted that the trial
court reported that all the prosecution witnesses were examined
and the statement of the accused was also recorded under Section
313 of the Cr.P.C. but till date the trial has not yet been concluded.



It is submitted that after recording the statement of the accused, the prosecution filed petition for amendment of charge and the same was allowed. It is submitted that *de novo* trial is being held.

Considering the facts aforesaid and the fact that the petitioner is in jail since 01.01.2015, he has remained in jail for about 3 years 9 months, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned 1st Additional Sessions Judge-cum-Special Judge, POCSO, Saharsa in connection with POCSO No.04/2015, arising out of Bihra P.S. Case No.221 of 2014.

(Prabhat Kumar Jha, J)

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