

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76175 of 2018

Arising Out of PS. Case No.-201 Year-2017 Thana- Abadpur District- Katihar

Md. Sanfaraz Son of Abdul Majid, resident of Village- Sirajmani, P.S. Abadpur, District- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Helal Ahmad

For the Opposite Party/s : Mr. Nirmal Kumar Sinha

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

4 26-06-2019 Heard the learned counsel for the petitioner and the State.

The prayer for bail of the petitioner was earlier rejected vide order dated 09.07.2018 passed in Cr. Misc. No. 33888 of 2018. While rejecting the petition for bail, this Court took note of the fact that the petitioner along with others was charged for abducting the 13 years minor daughter of the informant because of land dispute. Victim/minor was recovered who gave her statement under Section 164 Cr.P.C. indicating that she was abducted at the hands of the petitioner and others. She has also alleged rape by the petitioner. The police after investigation submitted



charge-sheet under Sections 363, 366A, 376 and 504 of the Indian Penal Code and Section 4 of the POCSO Act, 2012.

Considering all these aspects, the prayer for bail was earlier rejected.

A prayer has been made for grant of bail to the petitioner again on the ground of there being no progress in the trial and the petitioner having remained in custody for a long time.

This Court on an earlier occasion had asked for a report about the stage of the case. The report has since been received. It appears that the charges in this case have been framed and out of five accused persons, four are on bail and they have been directed by the court to remain physically present on the next date for framing of the charge.

The report, which has been received and kept at flag-X, is dated 19.01.2019.

Today, this Court is not aware about the stage of the case.

In any view of the matter, the prayer for grant of



bail to the petitioner is rejected.

The trial court is directed to conclude the trial as early as possible, preferably within a period of nine months from the date of production/communication of a copy of this order.

The aforesaid time-line has been indicated by this Court considering the period of custody of the petitioner.

This petition is dismissed with the aforesaid observation.

(Ashutosh Kumar, J)

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