

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44894 of 2019

Arising Out of PS. Case No.-122 Year-2017 Thana- ROSHANGANJ District- Gaya

Kamal Deo Kumar @ Kamal Son of Chandradeo Singh Bhokta Resident of
Village - Ambakhar, P.S.- Raushanganj, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar Singh

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 13-09-2019 The petitioner seeks bail in connection with POCSO

Case No. 63 of 2017 arising out of Raushanganj (Banke
Bazar) P. S. Case No. 122 of 2017 dated 12.08.2017
instituted for the offence under Sections 366 (A) and 376 of
the Indian Penal Code and Sections 4 and 12 of the POCSO
Act, 2012.

Without adverting to the merits of the case,
especially the allegation levelled in the F.I.R., the learned
counsel for the petitioner has submitted that he is in custody
since 14.08.2017.

It appears that on the last occasion, a Bench of
this Court had asked for the stage of the case which has



since been received and kept at Flag-R. From the report, it appears that even though the charges were framed on 21.11.2017 but till the date of sending the report to this Court, no witness had been examined.

This cannot continue forever.

The Trial court is directed to take all coercive steps for procuring attendance of the witnesses and conclude the trial as early as possible, preferably within a period of six months from the date of production/communication of a copy of this order before the trial court.

The aforesaid time-line has been given by this Court taking into account the long period of incarceration of the petitioner. In case the trial is not concluded within the aforesaid period, the petitioner would be at a liberty to approach the court below for grant of bail.

With the aforesaid observation / direction, this petition stands dismissed.

(Ashutosh Kumar, J)

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