

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14592 of 2020

Arising Out of PS. Case No.-35 Year-2017 Thana- JAKKANPUR District- Patna

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BIPIN KUMAR S/o Birendra Kumar At present residing at Jay Prakash Nagar, P.S.- Jakanpur, Dist.- Patna, Bihar-800001, Permanent resident of village- Khemkharan Sarai, Kurtha, P.O. and P.S.- Kurtha, Dist.- Arwal, Bihar-804421

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar @ Manu

For the Opposite Party/s : Mr.Md. Matloob Rab

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 18-08-2020 Heard learned Counsel for the petitioner and learned Additional Public Prosecutor representing the State, through Video Conferencing.

The petitioner seeks regular bail in connection with Jakkanpur Police Station Case No. 35 of 2017, registered for the offences punishable under Section 376 of the Indian Penal Code and Section 4 of the Protection of Children from Sexual Offences Act, 2012.

This is the third attempt on behalf of the petitioner for grant of regular bail. Earlier, the prayer for regular bail of the petitioner was rejected by this Court, vide orders, dated 20.11.2017 and 10.10.2018, passed in Criminal Misc. Nos. 49330 of 2017 and 54173 of 2018 respectively, with the



observation to the Trial Court to expedite the trial and conclude the same as early as possible.

This Court, vide order, dated 19.06.2020, had called for a report from the learned Trial Court regarding the status of the trial and a report has been received from 1st Additional Sessions Judge -cum- Special Judge, POCSO, Patna, vide letter no. 250, dated 13.07.2020, stating therein that one witness, Jitendra Kumar (P.W. 1) has been examined and partly cross-examined on 24.04.2019. It has further been stated in the said report that there are altogether 7 prosecution witnesses, including the doctor and the Investigating Officer. The report further says that the trial is likely to be concluded within a period of nine months upon resumption of normalcy after COVID-19.

After having heard learned Counsel for the parties and taking into consideration the fact that the bail applications of the petitioner have been rejected twice on its own merits and the trial is likely to be concluded within a period of nine months, I am not inclined to grant regular bail to the petitioner.

This application is, accordingly, dismissed.

However, the petitioner may renew his prayer for bail after nine months from today, if the trial is not concluded by that



time.

It is made clear that the petitioner will fully co-operate in the trial and will not take unnecessary adjournments during the trial.

Prabhakar Anand/-

(Anil Kumar Sinha, J.)

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