

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5404 of 2020

Arising Out of PS. Case No.-329 Year-2018 Thana- BAIRIYA District- West Champaran

NAUSHAD ALAM Son of Shamshad Alam Resident of Village - Naya Basti,
Tilangahi, P.S.- Bairiya, District - West Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramakant Yadav, Advocate.

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

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 01-07-2020 This matter has been taken up through Video Conferencing.

Heard the parties.

The petitioner is languishing in custody for the offence punishable under Sections 341, 323, 376, 511, 504 and 506/34 of the Indian Penal Code and Section 4 of the POCSO Act.

According to F.I.R., the petitioner allegedly entered into the house of the informant, a minor girl and attempted to ravish her. Details of the physical act of the petitioner is disclosed in the F.I.R. Petitioner is in custody since 02.03.2019. In the past, prayer for bail was refused by order dated 21.05.2019 in Cr. Misc. No. 24278 of 2019.

Learned counsel for the petitioner submits that there is



delay of 19 days in lodging of the F.I.R. The medical report would reveal that the victim was in between 17-19 years.

The delayed F.I.R. is explained as the matter was awaiting result of Panchayati.

Considering the nature of allegation against the petitioner, I am not inclined to enlarge the petitioner on bail in connection with Bairiya P.S. Case No. 329 of 2018.

Hence, prayer for bail of the petitioner is refused.

Learned trial Court is directed to expedite the trial in connection with aforesaid case.

(Birendra Kumar, J)

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