

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22092 of 2020

Arising Out of PS. Case No.-257 Year-2019 Thana- MOTIHARI MUFASIL District- East
Champaran

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VEYASH MUKHIYA Son of Biadhnath Mukhiya Resident of Village-
Kuarpur, P.S.- Pipra, Distt- East Champaran.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Vijay Shankar Shrivastava, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

3 19-10-2020 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner seeks bail in connection with

Muffasil P.S. Case No. 257 of 2019 dated 15.06.2019

instituted for offence under Sections 366(A), 363 and 376

of the Indian Penal Code and Section 4 of the POCSO Act.

The allegation against the petitioner is of having

taken away the victim girl and subjected her to rape.

It has been submitted on behalf of the petitioner

that he is related to the victim as well as the informant and

was earlier being prosecuted by his wife. The victim is stated



to be the sister-in-law of the petitioner. Apart from this, the case diary indicates that the age of the victim was assessed between sixteen and a half to seventeen and a half years by a report dated 12.12.2019.

In any view of the matter, in view of the allegation levelled against the petitioner of having taken away the minor girl, who stood in some special relation to the petitioner, I am not inclined to grant bail to the petitioner.

The prayer for bail of the petitioner is rejected.

However, regard being had to the fact that the petitioner is in custody since 03.12.2019, this Court directs that the Trial Court should expedite the trial and in case there is no substantial progress in the trial in the next six months, it would be open to the petitioner to approach the trial and seek bail.

In that even the Trial Court would be required to state the reasons for tardy pace of the Trial.

(Ashutosh Kumar, J)

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