

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26693 of 2020**

Arising Out of PS. Case No.-216 Year-2018 Thana- KESARIA District- East Champaran

Madan Sahani @ Madan Sahni Son of Sudama Sahani Resident of Village -
Dhekahan, P.S.- Keshariya, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhurendra Kumar

For the Opposite Party/s : Mr.A.P.P.

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

3 01-12-2020 Heard learned counsel for the parties through video conferencing.

This is 3rd attempt for grant of bail on behalf of petitioner in POCSO Trial No. 95 of 2018, arising out of Kesariya P.S. Case No. 216 of 2018, G.R. No. 3695 of 2018 registered for the offence under Section 377 of the I.P.C. Earlier, twice the prayer for bail of petitioner was rejected, vide Annexure – 1 to the bail petition.

In this regard, vide order dated 13-10-2020, a report was called for from the Trial Court regarding stage of the trial, which has been received and kept at flag 'R'. From perusal of report of learned 7th Addl. Sessions Judge, Motihari, as contained in Letter No. 439/2020 dated 10-11-2020, it appears that since prosecution has not produced any witness before the



court, process of summons and thereafter, bailable/non-bailable warrant of arrest has been issued and now, case is fixed for the prosecution evidence.

Considering the aforesaid facts and circumstances, the bail application of petitioner is again rejected. However, since the petitioner is in custody since 12-06-2018, the learned Trial Court is directed to conclude the trial as early as possible.

(Prabhat Kumar Singh, J.)

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