

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23515 of 2020

Arising Out of PS. Case No.-40 Year-2019 Thana- MAHILA PS District- Katihar

MANOJ KEWAT S/o Suresh Kewat Resident of Village- Kehunia, P.S.-
Pranpur, Distt- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Kumar Pandey

For the Opposite Party/s : Mr. Murlidhar

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 06-10-2020 As of now, the Courts have not resumed normal physical hearing. The matter has been listed today for consideration through Video Conferencing.

Learned counsel are appearing and making submissions from their residence. The Court master and Secretary are also part of this virtual Court proceedings with the aid of audio visual technology.

Heard learned counsel for the petitioner and learned APP for the State.

Learned counsel for the petitioner is expected to honor his undertaking given in the instant case for depositing the requisite court fee and to remove the defects as pointed out by office when called upon.

The petitioner seeks bail in Mahila P.S. Case no. 40 of



2019 instituted for the offence under Sections 147, 323, 342, 376/504 of the IPC and Section 4 of the Pocso Act .

The report, received from the Court below, states that five charge-sheet witnesses have already been examined. Only the Investigating Officer (I.O.) remains to be examined.

The allegation against the petitioner is that he has kidnapped the daughter of the informant. It is further alleged that the daughter was subjected to rape.

Petitioner's counsel submits that it is a case of false implication. The further submission is that no such occurrence has taken place and prior enmity forms the basis of petitioner's implication.

Petitioner is in custody since 18.10.2019.

The learned APP has opposed the prayer for bail by submitting that the allegation of kidnapping and rape upon minor girl are very serious in nature. The report of the learned court below clearly shows that trial is nearing conclusion

Considering the rival submissions, this Court, for the present, is not inclined to allow the petitioner's prayer for bail. Prayer for bail is rejected.

This Court would observe that the trial Court should proceed in the matter expeditiously to ensure conclusion at the



earliest.

(Madhuresh Prasad, J)

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