

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28216 of 2020

Arising Out of PS. Case No.-500 Year-2016 Thana- SHASTRINAGAR District- Patna

DEEPAK KUMAR DAS Son of Late Gulab Das @ Gulab Ram, a resident of Onkeri, P.S.- Ghosi, District - Jehanabad, At present C.T.O. Road, Shiv Mandir, Dhurva, P.S.- Dhurva, District - Ranchi (Jharkhand)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar Mouar

For the Opposite Party/s : Mr.APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 24-11-2020 Heard both sides through Video Conferencing.

The petitioner seeks bail in Shastri Nagar P.S. Case No.500 of 2016, corresponding to Special Case No.75 of 2018 registered under Sections 366A, 376 of the Indian Penal Code and under Sections 4 and 8 of POCSO Act.

This is the fifth attempt of the petitioner for grant of bail. The prayer for bail of the petitioner was lastly rejected vide order dated 21.08.2019 passed in Cr. Misc. No.47581 of 2019.

The learned counsel for the petitioner submits that petitioner happens to be brother-in-law of the victim. The victim was pressurizing the petitioner to solemnise marriage and that is why the present case has been lodged but it appears that petitioner enticed his own cousin sister-in-law and sexually exploited her. The victim made her statement under Section 164



Cr.P.C. This Court directed the trial court to conclude the trial within six months but the same has not been concluded.

Taking into consideration the serious nature of offence alleged to be committed by the petitioner, I am not inclined to enlarge the petitioner on bail. Accordingly, the same is rejected.

The trial court is directed to hold the trial on day to day basis and conclude the same within four months from the date of receipt of this order. If the trial is not concluded within four months, the petitioner may renew his prayer for bail.

The S.S.P., Patna is directed to ensure the attendance of the witnesses so that the trial must be concluded within four months from the date of receipt of this order.

Let a copy of this order be sent to the S.S.P., Patna and the trial court for information and needful with a direction to the trial court that if the prosecution witness is not present on any date, the trial court must inform this fact to this Court so that necessary action be taken against erring police officials for non production of the witnesses causing inordinate delay in conclusion of the trial.

(Prabhat Kumar Jha, J)

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