

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28816 of 2020

Arising Out of PS. Case No.-270 Year-2015 Thana- SASARAM NAGAR District- Rohtas

ARJUN PASWAN S/o Uma Paswan Resident of Mohalla-Safullahganj, P.S.-
Sasaram (T), District-Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Surendra Kumar Mishra

For the Opposite Party/s : Mr. Ashok Kumar, A.A.P.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 11-11-2020 The present petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel appearing for the petitioner and Shri Ashok Kumar, learned A.P.P. for the State.

The petitioner seeks regular bail in connection with POCSO Case No. 26 of 2015 arising out of Sasaram(T) P.S. Case No. 270 of 2015 for the offence punishable under Sections 376, 341, 342, 323 and 307 of the Indian Penal Code and Sections 6/7 of POCSO Act.

The present petition is by way of third attempt at the behest of the petitioner herein for grant of bail in connection with POCSO Case No. 26 of 2015 arising out of Sasaram(T)



P.S. Case No. 270 of 2015 inasmuch as the earlier two petitions filed by the petitioner for grant of bail has been rejected vide orders dated 22.08.2016 and 18.08.2017 passed in Criminal Misc. No. 33468 of 2016 and Criminal Misc. No. 38758 of 2017.

The allegation is regarding the petitioner having raped the minor victim girl.

The learned counsel for the petitioner has submitted that the petitioner is languishing in custody since 09.03.2015 and there is no possibility of completion of trial in the near future.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

I have heard the learned counsel for the parties and perused the materials on record and it is apparent from the impugned order dated 22.02.2020 that the trial is going on wherein three prosecution witnesses have already been examined and only few witnesses, on behalf of the prosecution are required to be examined, hence, this Court finds that there is no occasion to re-consider the prayer for regular bail made by the petitioner herein especially since there is no change in circumstance so as to warrant grant of bail to the petitioner herein, more so in view of the fact that on two earlier occasions,



the prayer for bail of the petitioner has been rejected by this Court as also considering the heinous nature of crime committed by the petitioner herein, thus the present petition stands dismissed.

(Mohit Kumar Shah, J)

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