

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61828 of 2019**

Arising Out of PS. Case No.-40 Year-2019 Thana- CHAINPUR District- Kaimur (Bhabua)

VINAY TIWARI Son of Vijai Tiwari Resident of Village - Jagaria, P.S.-
Chainpur, Dist.- Kaimur at Bhabua.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Garg

For the Opposite Party/s : Mr.Kumar Veerendra Narayan

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL ORDER

5 16-03-2020 Heard learned counsel for the parties.

This application for grant of regular bail arises out of Chainpur P. S. Case No. 40 of 2019/POCSO No.05/2019 registered for the offence punishable under Section 377 of the Indian Penal Code and Sections 4/6 of the POCSO Act, 2012.

Learned counsel appearing on behalf of the petitioner has submitted that charge has been framed and the witnesses have been examined, including the victim. He has drawn my attention to the deposition of the victim to contend that he has not supported the case of the prosecution.

There is direct allegation against the petitioner of having committed offence punishable under Section 377 of the Indian Penal Code. Learned counsel for the petitioner may be correct that during the cross examination, the victim could not fully support the case of the prosecution. The fact, however,



remains that the victim did support the prosecution version in his examination-in-chief.

Be that as it may, considering the gravity of the offence, I am not inclined to grant the petitioner privilege of regular bail. The Court below is, however, requested to expedite the trial and conclude it preferably within a period of two months from the date of receipt/production of a copy of this order.

This application is accordingly rejected.

(Chakradhari Sharan Singh, J)

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