

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68430 of 2019

Arising Out of PS. Case No.-60 Year-2018 Thana- MAHILA P.S. District- Patna

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Kunal Kumar @ Kundan Kumar, aged about 24 years, Gender-M, Son of Sri Suresh Yadav Resident of Village - Ranipur, Khirki, Uparigali, P.S.- Mehandiganj, Distt - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vijay Kumar Sinha

For the Opposite Party/s : Mr.Anand Mohan Prasad Mehta

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

4 27-05-2020 Heard learned counsel for the petitioner and learned counsel for the State through virtual court proceeding.

In this case, the petitioner is seeking bail in connection with Special (POCSO) P.S. Case No. 107 of 2018 arising out of Mahila P.S. Case No. 60 of 2018 registered for offences under sections 376, 511 of the Indian Penal Code and Section 8 of the POCSO Act.

In this case, a complaint has been filed making a statement that the female girl, aged 8 years, came to the house in a weeping condition, when a query was made, she narrated the entire story showing the petitioner to be indulged in commission of rape upon her.

Earlier the petitioner had moved before this Court



in Cr. Misc. No. 67866 of 2018 and this Court, vide order dated 3.12.2018, rejected the prayer for bail of the petitioner with a direction for completing the trial within a period of nine months.

From the report sent by 1st Additional District & Sessions Judge, Patna dated 17.2.2000, it appears that out of eight witnesses, till date, two prosecution witnesses have been examined.

Learned counsel for the petitioner submits that the petitioner is in judicial custody since 7.6.2018.

Looking to the nature of allegation as also considering the entire facts and circumstances of the case, this Court is not inclined to grant bail to the petitioner.

Accordingly, the prayer for bail of the petitioner, above named, is rejected with a direction to the court below to conclude the trial within a period of nine months after normal situation is restored.

(Shivaji Pandey, J)

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