

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18327 of 2021

Arising Out of PS. Case No.-154 Year-2020 Thana- SARMERA District- Nalanda

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AMARJEET KUMAR S/O RAGHUNANDAN PRASAD @
RAGHUNANDAN RAM R/O VILLAGE-PAYAREPUR, P.S.-SARMERA,
DISTRICT-NALANDA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raj Kumar, Adv.

For the Opposite Party/s : Mr. Tapeswar Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 30-11-2021 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 341, 354A and 379 of the Indian Penal Code to which sections 457 and 380 of the Indian Penal Code and sections 8 and 12 of the POCSO Act were added subsequently.

As per the prosecution case, the petitioner entered into the house of the informant and committed theft and thereafter tried to force himself on the minor daughter of the informant. On the informant making an attempt to catch hold of him, the petitioner is stated to have escaped.

It is submitted by learned counsel for the petitioner



that the petitioner has been falsely implicated in the case because of being a co-villager. It is submitted that there is contradiction in between the allegations levelled in the F.I.R. and the statement under section 164 Cr.P.C. of the alleged victim. The petitioner is in custody since 1.10.2020 and undertakes to cooperate in the trial.

The application for bail is opposed by learned A.P.P. for the State.

A report was called for from the learned trial court. As per the report received contained in letter dated 26.10.2021, the prosecution evidence has been closed on 6.4.2021 and after the statement of the accused recorded under section 313 Cr.P.C., the case was posted for judgment on 30.9.2021. However, the same could not be delivered because of the transfer of the Presiding Officer. The trial is expected to conclude within three months.

Having heard learned counsel for the parties and taking into consideration the nature of allegations together with the contents of the statement under section 164 Cr.P.C. and the progress in the trial in the learned trial court, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.



Learned trial court is directed to expeditiously conclude the trial within a period of three months from the date of communication of this order.

(Partha Sarthy, J)

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