

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1548 of 2021**

Arising Out of PS. Case No.-36 Year-2018 Thana- MAHILA P.S. District- Nawada

Niranjan @ Karu Singh Son of Birendra Singh Resident of Village-
Sokhodewara, P.S.- Kawakole, District- Nawada.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Amar Anand, Advocate
For the Respondent/s : Mr. Sadanand Paswan, SPP

**CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER**

3 05-08-2021 Heard the parties in virtual Court proceeding.

This is an appeal under Section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 against the refusal of prayer for bail by the learned Additional Sessions Judge-VI-cum-Special Judge (POCSO Act), Nawada, in connection with Mahila Police Station Case No.36 of 2018 registered under Sections 376(1)/506 of the Indian Penal Code, Section 4 of the POCSO Act and Section 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Appellant is alleged to be rapist of a minor girl. The appellant is in custody since 23.11.2018.

In the past prayer for bail was refused on 06.08.2019, vide order at Annexure-1, with direction to the trial Judge to



expedite the trial and conclude the same preferably within nine months. The report of the trial Judge dated 09.10.2020 would reveal that five prosecution witnesses including the victim have already been examined. The official witnesses are yet to be examined.

After hearing the parties and considering the nature of allegation, I am not inclined to enlarge the appellant on bail. Hence, the prayer for bail is refused.

The Superintendent of Police, Nawada, is directed to ensure the production of the official witnesses in connection with Mahila P.S. Case No.36 of 2018 giving rise to POCSO Case No.74 of 2018.

Accordingly, the appeal stands dismissed.

(Birendra Kumar, J)

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