

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21780 of 2021**

Arising Out of PS. Case No.-133 Year-2019 Thana- AMAS District- Gaya

GAUTAM KUMAR @ GAUTAM SON OF RAJU SINGH @ RAJU RAM
RESIDENT OF VILLAGE- PARHANDA, P.S.- CHERKI, DISTRICT-
GAYA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Satya Nand Shukla, APP

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER**

3 22-10-2021 Heard learned counsel for the parties through video conferencing.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 4 and 8 of the POCSO Act and section 376 of the Indian Penal Code.

The allegation against the petitioner is of having committed rape on the minor daughter of the informant.

It is submitted by learned counsel for the petitioner that the earlier application for bail of the petitioner was rejected vide order dated 5.3.2020 (Annexure-1) with a direction to the learned trial court to expedite the trial and conclude the same within nine months. In spite of one year seven months having passed since passing of the said order the trial is nowhere near



conclusion. The petitioner is in custody since 28.6.2019 and has no criminal antecedent.

Heard learned A.P.P. for the State.

A report was called for from the learned trial court with respect to the stage of the trial. As per the report contained in letter dated 4.10.2021, five witnesses have been examined on behalf of the prosecution which includes the minor victim and none of them have been declared hostile.

Having heard learned counsel for the parties and taking into consideration the allegation against the petitioner together with 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 preferably within a period of six months from the date of receipt of a copy of this order.

(Partha Sarthy, J)

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