

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.23560 of 2021**

Arising Out of PS. Case No.-64 Year-2019 Thana- MAHILA PS District- Buxar

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SONU KUMAR SON OF GORAKHNATH THAKUR R/O VILL.-
GANGAULI, P.S.- SIMRI (O.P. RAMDAS RAI KA DERA), DIST.- BUXAR
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dr. Kamal Deo Sharma, Adv.

For the Opposite Party/s : Mr.Mukeshwar Dayal, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

4 25-08-2021 Heard learned counsel for the petitioner and learned A.P.P.
for the State.

This is the second attempt of the petitioner to obtain bail in connection with Buxar (Mahila) P.S. Case No.64/2019 registered for the offences punishable under Sections 376(D), 506 and 313 of the Indian Penal Code and Section 4 of POCSO Act.

Learned counsel for the petitioner submits that while rejecting the prayer for bail of the petitioner, this Court had observed that the petitioner may renew his prayer for bail after examination of the victim girl in course of trial.

It is expected that the victim has already been examined in course of trial.

When this Court called upon learned counsel for the petitioner to show from the statements made in the petition that the victim has already been examined, no such statement could be

shown. Apart from that the statement of the victim girl has also not been brought on record.

The learned trial court has sent a report in which it is stated that if the pandemic situation will get normalized two dates will be taken for adducing evidence of I.O. and Doctor , one date for recording the statement under Section 313 Cr.P.C. and two or three dates for argument and one date for judgment. Thus, this Court understands that the trial itself is likely to be concluded within a period of four months.

Now that the court has started functioning in hybrid mode, in absence of any cogent material on record to satisfy the Court for grant of bail and the report of the learned trial court, the prayer for bail is refused.

It is expected that the learned trial court shall keep this case on day to day basis and conclude the same preferably within a period of four months from the date of communication of this order.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.