

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32687 of 2021

Arising Out of PS. Case No.-169 Year-2018 Thana- BAHADURPUR District- Patna

=====

SANTOSH KUMAR CHAURASIA @ SANTOSH KUMAR
CHAURRASIYA S/o Prem Chaurasiya R/o village- Ghatho Mahapatra Tola,
P.S.- Ghatho, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Amit Kashyap, Advocate
For the Opposite Party/s : Ms. Asha Devi, APP

=====

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

4 15-12-2021 Heard Mr. Amit Kashyap, learned Advocate for
the petitioner and Ms. Asha Devi, learned APP for the
State.

The prayer for bail of the petitioner was earlier
rejected vide order dated 01.06.2020 passed in Cr.
Misc. No. 10126 of 2020.

The petitioner is said to have made sexual
contact with the prosecutrix/victim, who was only 14
years old.

The petitioner is a married person.

The petitioner has renewed his prayer for bail
on the ground of his continued custody and no
substantial progress in the trial having been made up till
now.

This Court had called for a report from the



court below about the stage of the case vide order dated 28.07.2021. The report indicates that charges have been framed against the petitioner on 05.02.2020 but no witness has been examined as yet. This was the position at the time when the report was signed by the learned Additional District & Sessions Judge-VII-Cum-Exclusive Special Court (POCSO Act), Patna.

Considering the nature of accusation against the petitioner, I am not inclined to grant bail to him during the pendency of the trial notwithstanding the fact that he is in custody since 05.09.2019.

The prayer for bail is rejected.

However, the trial court is directed to conclude the trial positively within a period of nine months. If there is no substantial progress in the case within the next six months, it would be open for the petitioner to pray for bail before the trial court, who in that event shall be under an obligation to record the reasons for the tardy progress of the trial.

The petition stands disposed off accordingly.

(Ashutosh Kumar, J)

krishna/-

U		T	
---	--	---	--

