

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36813 of 2021

Arising Out of PS. Case No.-26 Year-2019 Thana- MAHILA P.S. District- Nalanda

Subodh Kumar Pandey Son of Late Chandra Bhushan Pandey Resident of
Village - Mohalla - Neemganj Near Sulaganj, P.S.- Bihar, Distt.- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rabindra Prasad Singh, Adv.

For the Opposite Party/s : Mr. Nand Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

6 22-09-2021 Heard learned counsel for the parties through video conferencing.

The petitioner has renewed his prayer for bail in a case registered under sections 307, 366A and 376AB of the Indian Penal Code and section 6 of the POCSO Act.

As per the prosecution case, rape was committed on the minor daughter of the informant and an attempt was made to kill her.

It is submitted by learned counsel for the petitioner that the earlier application for bail of the petitioner was rejected vide order dated 15.3.2021 (Annexure-1) passed in Cr. Misc. no.8374 of 2020 directing the learned trial Court to expedite the trial. In spite of the petitioner being in custody since 11.3.2019 the trial has still not concluded.



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 received, contained in letter dated 6.9.2021 of the Additional Sessions Judge-XVI-cum-Special Judge, POCSO, Nalanda, Bihar Sharif, 22 out of the 23 chargesheet witnesses have been examined and only the Investigating Officer remains to be examined. The said Investigating Officer having undergone an operation, she is expected to depose as a prosecution witness within one month.

Having heard learned counsel for the parties and taking into consideration the nature of allegation together with the contents of the report received from 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 expedite the trial.

(Partha Sarthy, J)

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