

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.23472 of 2020**

Arising Out of PS. Case No.-167 Year-2020 Thana- ATRI District- Gaya

Nitish Kumar, aged about 24 years (M), son of Deep Narayan Singh @ Sanjay Singh @ Chandradip Sharma, Resident of village-Dundichak, P.S.- Atari, District- Gaya

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

For the Petitioner : Mr. Sharda Nand Mishra, Advocate  
For the Opposite Party : Mr. Uma Nath Mishra, APP

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY**  
**ORAL ORDER**

3      05-02-2021                      Heard learned counsel appearing on behalf of the petitioner and learned counsel appearing on behalf of the State.

The petitioner is in custody in connection with Atari P.S. Case No. 167 of 2020 for the offence under Sections 366A, and 376 of the Indian Penal Code and Section 4 of the POCSO Act.

Learned counsel for the petitioner submits that the petitioner has no criminal antecedent and he is in custody since 31.05.2020. Learned counsel has invited attention of the Court to the compromise petition filed on behalf of the informant.

Petitioner is an accused for the offence under Sections 366A and 376 of the Indian Penal Code and Section 4 of the POCSO Act. The offence alleged against the petitioner is



non-compoundable and on the basis of the compromise petition, learned counsel for the petitioner tried to impress upon the Court that the petitioner deserves bail.

Considering the allegation levelled against the petitioner, the Court is not inclined to grant bail to him. Prayer for bail is rejected.

However, the court below is directed to expedite the trial and conclude the same at the earliest within a period of nine months from the date of receipt/communication of a copy of this order.

Senior Superintendent of Police, Gaya is directed to ensure the production of all the prosecution witnesses for their examination so that the trial may be expedited within the time frame as indicated hereinabove.

**(Anil Kumar Upadhyay, J)**

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