

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31394 of 2020

Arising Out of PS. Case No.-589 Year-2019 Thana- SHERGHATI District- Gaya

=====

KUNDAN PASWAN, S/o Raj Deo Paswan @ Rajdev Paswan Resident of
Village-Wakilganj, P.S.-Dobhi, District-Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Surendra Kumar Mishra

For the Opposite Party/s : Mr.APP

=====

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 22-01-2021 Heard Mr. Sudama Singh, learned counsel for

the petitioner and Mr. Ram Priya Sharan Singh, learned

APP for the State.

The petitioner seeks bail in connection with

POCSO Case No. 138 of 2019, arising out of Sherghati

(Dobhi) P. S. Case No. 589 of 2019, instituted for

offences under Section 376 of the Indian Penal Code and

Sections 4 and 6 of the POCSO Act, 2012.

He is stated to be in custody since 16.12.2019.

The petitioner is alleged to have committed

rape upon the victim. Though several grounds have been

raised by the petitioner, viz, that the age of the victim



having been assessed to be more than what she has projected and compounding of the offence, but I am not inclined to grant bail to the petitioner in view of the accusation in the F.I.R., notwithstanding the fact that the petitioner is in custody since 16.12.2019.

The prayer for bail is rejected.

However, the trial court is directed to conclude the trial, preferably within a period of nine months from the date of production/receipt of a copy of this order. If there is no substantial progress in the trial, the petitioner would be entitled to approach the court below for grant of bail and in that event, the court below 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)

skm/-

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

