

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39791 of 2021**

Arising Out of PS. Case No.-89 Year-2019 Thana- KASIMBAZAR District- Munger

MD. SAMIR Son of Md. Shamim Resident of Village/ Mohalla- Mansari
Tale, Bajarangbali Mandir, Police Station- Kasim Bazar, District- Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjiv Kumar Singh
For the Opposite Party/s : Mr.Satyendra Prasad

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

3 27-10-2021 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with
Kasim Bazar Police Station Case No. 89 of 2019, registered for
the offences punishable under Sections 363/366-A of the Indian
Penal Code and Section 8 of the Protection of Children from
Sexual Offences Act, 2012.

This is the second attempt on behalf of the petitioner
for grant of regular bail. Earlier, the prayer for regular bail of the
petitioner was rejected by this Court, vide order, dated
21.10.2020, passed in Criminal Misc. No. 26900 of 2020, giving
liberty to the petitioner to renew his prayer for bail after six
months from the date of the order, if the trial does not show any
progress.



The allegation, as per the First Information Report, is that when informant returned back to her house after purchasing some vegetables from the market, she found her daughter missing. It has further been alleged that upon enquiry, the informant came to know that the petitioner along with other accused persons with a pre-planned conspiracy abducted her minor daughter for the purpose of marriage and making illicit relations with the victim girl.

Learned Counsel for the petitioner submits that the petitioner has renewed his prayer for bail after about eight months, as observed by this Court in the order dated 21.10.2020. He further submits that the petitioner is in custody since 03.12.2019.

This Court, vide order, dated 04.08.2021, had called for a report from the learned Court below regarding the stage of the case and in pursuance of the said order, a report has been submitted by learned 6th Additional Sessions Judge -cum- Exclusive Special Judge (POCSO), Munger, and from perusal of the same, it would be evident that the trial is likely to be concluded within three months.

In view of the aforesaid, I am not inclined to grant regular bail to the petitioner at this stage.



This application is, accordingly, dismissed.

However, the petitioner will be at liberty to renew his prayer for regular bail after three months from today, if the trial is not concluded by that time.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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