

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31969 of 2020

Arising Out of PS. Case No.-63 Year-2019 Thana- BELDOUR District- Khagaria

VIKASH KUMAR @ BIKASH KUMAR son of Bhudev Singh Resident of
Village - Satish Nagar, P.S. - Pasraha, District - Khagaria.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Parmeshwar Mehta, Advocate

For the Opposite Party/s : Mr. Ram Priya Sharan, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

4 23-02-2021 Heard learned counsel for the petitioner and Mr. Ram
Priya Sharan, learned A.P.P. for the State.

The petitioner, in the present case, is seeking regular
bail in connection with Beldaur P.S. Case No. 63 of 2019
registered for the offence under Sections 376/34 of the Indian
Penal Code and POCSO 11/19 u/s 3/4 of the POCSO Act, G.R.
No. 1085/2019.

Learned counsel for the petitioner submits that as per
the prosecution story on the alleged date of occurrence the
informant was alone in her house then the petitioner along with
one other co-accused entered into her house and committed rape
on her.

Learned counsel submits that the petitioner is
innocent and has been falsely implicated in this case due to



enmity and village politics. Learned counsel submits that there is no specific allegation of committing rape against him. It is submitted that the petitioner has got no criminal antecedent and he is in custody since 03.05.2019.

Learned A.P.P. for the State is present and has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case, wherein it is submitted that the trial in the present case is pending for a long time and upon finding that the prayer for bail of the petitioner had been earlier rejected by another learned coordinate Bench of this Court vide order dated 04.09.2019 (Annexure-1) and presently the case is at the stage of evidence, this Court is not inclined to grant privilege of regular bail to the petitioner. His prayer for regular bail is thus refused.

It is however deemed just and proper to direct the learned trial court to conclude the trial as early as possible preferably within a period of six months from today. Steps shall be taken to get appearance of the witnesses, no longer adjournments shall be granted in the case and all endeavors shall be made to conclude it within the aforesaid period.

If the trial is yet not concluded within the aforesaid period of six months for no reason attributable to the petitioner,



the petitioner may renew his prayer for bail.

The application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

Rishi/-

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

Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

