

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.33447 of 2020

Arising Out of PS. Case No.-45 Year-2018 Thana- MANSURCHAK District- Begusarai

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Mukesh Kumar @ Mangla, aged about 30 years, male, S/o Late Brahmadeo Das, R/o Village-Mahendraganj, Ward No.7, P.S.-Mansoorchak, District-Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Adv.

For the Opposite Party/s : Mr. APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

3 01-02-2021 Heard the counsel for the parties.

The petitioner seeks bail in connection with POCSO Case No. 46 of 2018 arising out of Mansoorchak P.S. Case No. 45 of 2018, dated 06.06.2018, instituted for the offences under Sections 366(A) and 34 of the Indian Penal Code and Sections 3, 4 and 6 of the Prevention of Children from Sexual Offences Act, 2012.

The prayer for bail of the petitioner was earlier



rejected by this Court *vide* order dated 14.10.2019 passed in Cr. Misc. No. 56353 of 2019.

On 15.12.2020, this Court had called for a report from the Court below about the stage of the case, which report has since been received.

It appears from the report that up-till now, six prosecution witnesses have been examined including the victim and the Investigating Officer and only one witness is left to be examined.

In that view of the matter, it appears that the trial is likely to be concluded in a short while from now.

Taking this fact into account, this Court is not inclined to grant bail to the petitioner.

The prayer for grant of bail is, accordingly, rejected.

The Trial Court is however directed to conclude the trial positively within a period of four months from today, failing which, the petitioner shall have the liberty to approach the Trial Court for grant of bail. In that event, the Trial Court shall be under an obligation to record reasons for non-



conclusion of the trial within the aforesaid period.

The application stands dismissed.

(Ashutosh Kumar, J)

Praveen-II/-

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