

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33109 of 2020

Arising Out of PS. Case No.-127 Year-2020 Thana- PAKRIDAYAL District- East Champaran

SUDISH PASWAN Son of Ganesh Paswan Resident of Village - Chorama,
P.S.- Pakridayal, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar No.III

For the Opposite Party/s : Mr.Ram Sumiran Roy

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL ORDER

4 25-01-2021 Heard learned counsel for the parties.

This application for regular bail arises out of Pakridayal P.S. Case No. 127 of 2020, disclosing the offence punishable under Sections 376, 34 of the Indian Penal Code and Sections 8, 12 of the POCSO Act.

On perusal of the statement of the victim recorded under Section 164 of the Cr.P.C., I find that the allegation against the petitioner of sexual assault, as alleged in the FIR, has been corroborated.

Learned counsel for the petitioner has relied on the deposition of the prosecutrix during the course of trial to contend that she has not fully supported the allegation of commission of rape.



Since the trial is at advanced stage, I do not consider it appropriate for the present to grant the petitioner privilege of regular bail.

Learned counsel for the petitioner informs that out of six prosecution witnesses, five have been examined, as per the instructions which he has received from the *pairvikar* of the case.

If only one witness is to be examined by the prosecution, the court below is directed to ensure that the trial is concluded as expeditiously as possible, preferably within a period of three months from the date of communication of the present order. If the trial is not concluded, the petitioner shall be at liberty to approach this Court renewing his prayer for bail after six months.

This application is accordingly disposed of.

(Chakradhari Sharan Singh, J)

Rajesh/-

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