

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49153 of 2021

Arising Out of PS. Case No.-35 Year-2017 Thana- JAKKANPUR District- Patna

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BIPIN KUMAR S/o Birendra Kumar Presently residing at - Jay Prakash Nagar, P.S. - Jakkanpur, District - Patna, Bihar - 800001, Permanent resident of Village - Kurtha, P.O. and P.S. - Kurtha Khemkharan Saray, District - Arwal, Bihar -804421.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amritesh Priyadarshi, Adv.

For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 06-10-2021 Heard Mr. Amritesh Priyadarshi, learned counsel for the petitioner and Mr. Nawal Kishore Prasad, learned Additional Public Prosecutor for the State.

Petitioner renews his prayer for bail in connection with Jakkanpur PS Case No. 35/2017 corresponding to Special (POCSO) Case No. 22/2017 registered for the offence punishable under Section 376 IPC and Section 4 of the POCSO Act.

This is the fourth attempt for bail on behalf of the petitioner inasmuch as earlier on three occasions, regular bail applications of the petitioner were rejected on merit.

Learned counsel for the petitioner submits that at the time of last rejection *vide* order dated 18.08.2020 in Cr. Misc.



No. 14592/2020, this Court had granted liberty to the petitioner to renew his prayer for bail after nine months, if the trial is not concluded. According to learned counsel for the petitioner, the trial is still at the initial stage and out of seven witnesses only one witness has been examined by the prosecution.

This Court *vide* its order dated 01.09.2021 had called for a report from Additional Sessions Judge-cum-Special Judge, Patna regarding stage of trial and in pursuance thereof, the report *vide* letter No. 656 dated 04.10.2021 has been received and from perusal of the same it appears that the trial court has given an estimated time for completion of the trial within three months.

In view of the fact that the trial court has given an estimated time of three months for completion of the trial and the victim has not been examined in the trial as yet, this application for bail is, hereby, rejected with a liberty to the petitioner to renew his prayer for bail after three months, if the trial is not concluded.

(Anil Kumar Sinha, J)

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