

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40867 of 2020

Arising Out of PS. Case No.-22 Year-2020 Thana- MAHILA P.S. District- Rohtas

Shani Kumar @ Sanni Sah @ Shanni Kumar S/o Kamlesh Sah Resident of
Vill.- Gansadih, P.S.- Sasaram (Muffasil), Distt.- Rohtas.

... .. Petitioner/s

Versus

The State Of Bihar

...

... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar, Advocate

For the Opposite Party/s : Mr. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

5 05-04-2021 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed the instant application for grant of regular bail in connection with POCSO Case no. 29 of 2020 arising out of Mahila P.S. Case no. 22 of 2020 registered under sections 376 and 506 of the Indian Penal Code and section 4 of the POCSO Act.

As per allegation in the FIR, the petitioner is stated to have committed rape on the minor informant.

It is submitted by learned counsel for the petitioner that the informant as also her mother and father were examined in course of the trial and they have not supported the prosecution case. The petitioner is in custody since 7.5.2020. He has no criminal antecedent. It is submitted that there being no chance of conviction of the petitioner, he be enlarged on bail.



The application for bail is opposed by learned APP
for the State.

By order dated 9.3.2021 a report with respect to the
stage of trial had been called for. As per the report three out of
the five charge sheet witnesses have been examined on behalf of
the prosecution. Only the doctor and the Investigating Officer
remain to be examined.

In view of the trial having proceeded, the Court is not
inclined to enlarge the petitioner on bail and the same is
rejected. The learned Trial Court is directed to expeditiously
conclude the trial preferably within a period of four months.

If not already examined, the Superintendent of Police,
Rohtas shall ensure appearance of the doctor and the
Investigating Officer of the case in the trial on the next date.

(Partha Sarthy, J)

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