

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5943 of 2021

Arising Out of PS. Case No.-59 Year-2019 Thana- JAKKANPUR District- Patna

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BINOD SHARMA @ BINOD MISTRI S/o Late Bishundeo Mistri Resident
of Vill.- Suraundha, P.S.- Paibigha, P.S.- Main (Belaganj, Distt.- Gaya.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Binod Kumar, Advocate
For the Opposite Party/s : Mr. Khurshid Anwar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

4 15-03-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with Special (POCSO) Case No. 16 of 2019 arising out of Jakkanpur P.S. Case No. 59 of 2019 registered for the offences punishable under Sections 354/376/511 of the Indian Penal Code and Section 4,7,8 and 12 of the POCSO Act, 2012.

Earlier the prayer for regular bail of the petitioner was rejected vide order dated 03.12.2019 passed in Cr. Misc. No. 62552 of 2019.

A report has been received from the learned trial court vide Letter No. 519 dated 12.03.2021. The learned Additional District & Sessions Judge-VI-cum-Spl. Judge, POCSO Act, Patna has informed that near about two months time is likely to



be required in conclusion of the trial.

In the aforesaid view of the matter, this Court is not inclined to release the petitioner at this stage when the trial itself is likely to be concluded.

Learned counsel for the petitioner has, however, taken a plea that the witnesses are not appearing in this case for a long time.

In the opinion of this Court, the learned trial court should abide by the time frame provided in its report kept at Flag - 'R'. Let the trial be concluded within the time fixed by the learned trial court in its report. Prosecution must cooperate in producing the witnesses on the date fixed in the matter and to the extent possible short dates only be granted so that it may be concluded within the fixed period.

If the trial remains unconcluded for no reason attributable to the petitioner, he may renew his prayer for bail.

(Rajeev Ranjan Prasad, J)

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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'.

