

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6865 of 2021

Arising Out of PS. Case No.-90 Year-2017 Thana- PIPRA District- Patna

KAMLESH MANJHI, Son of Late Arjun Manjhi, R/v - Behrawan, Chakiya,
Musahri, P.S. - Pipra, Distt. - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar Sinha, Advocate

For the Opposite Party/s : Mr. A.P.P.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 28-04-2021 The matter has been taken up through virtual Court proceeding.

Let the defect(s) be removed within a period of four weeks of the start of the physical Court.

Heard learned counsel for the petitioner and learned APP for the State.

Petitioner seeks bail in a case registered for the offences punishable under Section 376 of the Indian Penal Code and Section 4 of the Protection of Children from Sexual Offenses Act, 2012.

Allegation against the petitioner is that taking advantage of loneliness of the informant, he ravished her. The victim has supported the aforesaid allegation against the petitioner in her statement under Section 164 Cr.P.C.

Submission is that the prosecutrix is not corroborated



by the medical evidence. Five witnesses have been examined during trial and there is no other eyewitness of the occurrence. Petitioner is in custody since 07.12.2017.

Considering the well settled principles of appreciation of evidence of a victim of rape, I am not inclined to enlarge the petitioner on bail for the present in connection with Special (POCSO) Case No. 182 of 2017 arising out of Pipra P.S. Case No. 90 of 2017 pending in the Court of learned 1st Additional Sessions Judge, Patna-cum-Special Judge, POCSO, Patna.

Trial is at the advance stage of conclusion.

The learned Trial Judge is directed to expedite the trial and conclude the same preferably within a period of six months.

Let the Superintendent of Police, Patna be informed to ensure production of the remaining witnesses before the learned Trial Judge on the date fixed.

(Birendra Kumar, J)

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