

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8540 of 2021

Arising Out of PS. Case No.-326 Year-2018 Thana- SURSAND District- Sitamarhi

MD. GULAV S/O MD. BASIR R/O VILLAGE-SURSAND, P.S-SURSAND,
DISTRICT-SITAMARHI.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr.Ratanakar Jha
	:	Ms.Smirti Bharti
	:	Mr.Abhishekh Raj
For the Opposite Party/s :	:	Mrs.Gulnar Begum, APP

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 07-04-2021 The matter has been taken up for hearing *on-line* because of COVID-19 pandemic restrictions.

Heard learned counsel for the petitioner and learned Additional Public Prosecutor appearing on behalf of the State.

This application for grant of regular bail arises out of Sursand P.S. Case No. 326 of 2018 registered for the offence punishable under Section 376 of the Indian Penal Code and Section 4/6 of the POCSO Act, 2012.

I have perused the case diary. Learned counsel for the petitioner has submitted that except for confessional statement of the petitioner, there is no material collected during the course of investigation to support the case of the prosecution that two minor children were sexually assaulted. He has further submitted that since the petitioner has not been put on T.I.



parade so far and the victim has not named the petitioner in her statement under Section 164 of the Cr.P.C., the petitioner should be granted privilege of regular bail.

On careful examination of the case diary and other materials on record, I do not find it to be a fit case for grant of regular bail.

This application is accordingly rejected.

The court below is directed to ensure expeditious conclusion of the trial preferably within a period of three months.

List this matter under the heading 'To Be Mentioned' on 07.07.2021 for the court below to inform this Court the status of trial.

(Chakradhari Sharan Singh, J)

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