

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10673 of 2021

Arising Out of PS. Case No.-504 Year-2018 Thana- JAHANABAD District- Jehanabad

PAWAN KUMAR SON OF SHATRUGHAN SINGH R/O MOHALLA-
SHYAMNAGAR, JEHANABAD PS, DISTRICT-JEHANABAD

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mrigendra Kumar, Adv.

For the Opposite Party/s : Mr. Ajay Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 24-06-2021 Heard Mr. Mrigendra Kumar, learned counsel for
the petitioner and Mr. Ajay Kumar Jha, Additional Public
Prosecutor for the State through video conferencing.

2. Petitioner seeks regular bail in connection with
POCSO Case No. 44/2018 arising out of Jehanabad PS Case
No. 504/2018 registered for the offence punishable under
Section 366(A) of the IPC.

3. This is the second attempt for bail made on behalf
of petitioner inasmuch as bail application of the petitioner was
earlier rejected *vide* Cr. Misc. No. 85628/2019 dated 18.03.2020
with an observation that if the trial of the petitioner does not
show any progress within the period of six months, petitioner
would be at liberty to renew his prayer for bail.

4. Petitioner has renewed his prayer for bail on
account of fact that the trial has not yet been concluded and



petitioner is in custody since 12.07.2018.

5. This Court *vide* its order dated 07.04.2021 called for a report regarding stage of trial and pursuant to that order learned court below *vide* its letter no. 95/2021 dated 15.04.2021 submitted its report and from perusal of the said report, it would be evident that out of 09 charge-sheet witnesses, 05 witnesses have already been examined and remaining 04 witnesses including the victim are yet to be examined. Learned court below has also submitted in its report that Special P.P. has been directed several times to produce the victim and summon has also been issued against the victim for her presence in order to depose in the trial but the victim has not appeared for her evidence as yet. However, the trial court has given estimated time of two months for conclusion of the trial.

6. In the aforesaid facts and circumstances, I am not inclined to grant regular bail to the petitioner at this stage and the same is, hereby, rejected.

7. However, if the victim is not examined within a period of two months, petitioner, if so advised, may renew his prayer for bail after two months from today.

(Anil Kumar Sinha, J)

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