

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65985 of 2019

Arising Out of PS. Case No.-41 Year-2013 Thana- TANDWA District- Aurangabad

Rabindra Mushar Son of Madan Mushar Resident of Village-Pokhra Par, P.S-
Nabinagar, District-Aurangabad (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Birendra Kumar Singh, Adv.

For the Opposite Party/s : Mr. Ram Anurag Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

5 06-04-2021 Heard learned counsel for the petitioner and
learned A.P.P for the State through video conferencing.

The petitioner has renewed his prayer for bail in connection with Tandwa P.S. Case no. 41 of 2013 registered under section 395 of the Indian Penal Code to which section 376 of the Indian Penal Code and sections 4 and 8 of the POCSO Act were added subsequently.

As per allegation in the F.I.R., the petitioner along with other accused persons committed dacoity in the house and further committed gang rape on a minor girl.

It is submitted by learned counsel for the petitioner that the earlier application for bail of the petitioner was rejected vide orders dated 4.9.2015 and 10.5.2017, which are Annexure 1 series to the petition. The petitioner is in custody since



21.8.2013, however, the trial has still not concluded.

By order dated 9.3.2021 a report was called for with respect to the stage of trial from the learned Court below. As per report received contained in letter dated 25.3.2021 the trial is expected to conclude within two months.

The application for bail is opposed by learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the nature of allegation and the contents of the report received from the learned Court below, this Court is not inclined to enlarge the petitioner on bail and the application is rejected.

Learned trial Court is directed to conclude the trial within a period of three months from the date of receipt of a copy of this order.

(Partha Sarthy, J)

Bibhash/-

U		T	
---	--	---	--

