

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 3408 of 2022

Arising Out of PS. Case No.-40 Year-2019 Thana- MAHILA PS District- Katihar

MANOJ KEWAT Son of Suresh Kewat Resident of Village - Kehuniya Kewat
Tola, P.s.- Pranpur, Distt.- Katihar.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr Vinay Ranjan, Advocate

For the Opposite Party/s : Mr Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

5 **23-03-2022** Heard learned counsel for the petitioner and learned
Additional Public Prosecutor (for brevity, *APP*) appearing for
the State of Bihar.

The petitioner seeks bail in Mahila Police Station
Case No 40 of 2019 dated 15.07.2019 instituted for the offence
punishable under Sections 147, 323, 342, 376, 504 of Indian
Penal Code read with Section 4 of Protection of Children from
Sexual Offences (for brevity, *POCSO*) Act.

Since the trial is pending for argument, as per report
received from the trial Court, the petitioner's counsel submits
that petitioner should be enlarged on bail.

This Court had earlier rejected the petitioner's prayer
for bail under order dated 06.10.2020, having regard to the



heinous nature of allegation against him. Thereafter, on 08.12.2021, the petitioner's application for grant of bail was disposed of by this Court with liberty to renew the same before the Court of Additional Sessions Judge I -cum- Special Judge, POCSO Act, by order passed in Cr Misc No 42304 of 2021. This is the third time, the petitioner has moved this Court for grant of bail.

The learned APP has opposed the prayer for bail.

Having regard to the heinous nature of allegation, this Court is not inclined to take a different view, more so, since the report of the trial Court clearly indicates that the matter is pending for final argument.

Having considered the rival submissions, this Court is inclined to accept the submission of learned APP.

Prayer for bail is again rejected.

Learned counsel for the petitioner is expected to honour his undertaking given in the instant proceedings today for depositing requisite Court fee and removing the defect (s), as pointed out, when called upon to do so.

(Madhuresh Prasad, J)

M.E.H./-

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