

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3278 of 2022

Arising Out of PS. Case No.-170 Year-2018 Thana- MAHILA P.S. District- Patna

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Dharam Rabidas @ Dharma Rabidas Son of Late Jhunjhun Mochi Resident of
Village- Avagila, No.-24, P.O.- Mohanpur, P.S.- Gaurichak, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar, Advocate

For the Opposite Party/s : Ms. Anita Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 26-07-2022 Heard learned counsel appearing on behalf of the

petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Mahila
P.S. Case No. 170 of 2018 registered for the offence under
Section 376 of the Indian Penal Code and Sections 4, 8 and 12
of the POCSO Act.

The accused/petitioner is named in the F.I.R. and is in
custody since 18.04.2020.

The allegation against the petitioner is to commit rape
upon the informant, who was minor at the time of occurrence,
aged about 14 years.

Learned counsel appearing on behalf of the petitioner



submitted that prayer of bail of the petitioner has already been rejected on merit by this Court through Cr. Misc. No. 29598 of 2020 dated 04.12.2020, with liberty to renew the same before the Trial Court itself. It is submitted that matter was placed before the Trial Court after one year, which was rejected again through impugned order dated 17.12.2021.

On perusal of Letter no.923 dated 24.06.2022 of the Trial Court, it appears that the trial of the case has been expedited by taking the matter on board on day to day basis. It is also stated thereof that trial has not been concluded within stipulated period of one year due to Covid-19, where for the maximum period of time, the Court was functioning in virtual mode.

Learned APP appearing on behalf of the State, while opposing the prayer of bail, submitted that prayer of bail of the petitioner has already been rejected on merit by this Court.

Considering the facts and circumstances as mentioned above, as trial of this case has already been expedited by taking it on board on day to day basis, this Court is not inclined to grant bail to the petitioner, at this stage.

Accordingly, the prayer of bail of the petitioner is rejected herewith.



The Trial Court is directed to conclude the trial at the earliest, preferably within a period of six months from the date of receipt of this order, by taking it on board on day to day basis.

Senior Superintendent of Police, Patna is directed to produce the chargesheeted witnesses, as and when directed by the Trial Court, so as to conclude the trial expeditiously within the aforesaid time period.

(Chandra Shekhar Jha, J)

Ankit/-

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