

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17512 of 2021

Arising Out of PS. Case No.-41 Year-2018 Thana- MAHILA P.S. District- Muzaffarpur

MD. FARID @MOHAMMAD FARID Son of Md. Ajmal Resident of Village
- Bangra Banasidhar, P.S.- Kudhani, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Ram Bilash Roy Raman, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

8 14-02-2022 Heard learned counsel for the parties through video conferencing.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 376, 506 and 34 of the Indian Penal Code and sections 4 and 6 of the POCSO Act.

As per the prosecution case, the petitioner is said to have committed rape on the minor daughter of the informant.

It is submitted by learned counsel for the petitioner that the earlier application for bail of the petitioner was rejected vide order dated 3.3.2020 (Annexure-1) passed in Cr. Misc. no.13838 of 2020. The petitioner has remained in custody since 3.12.2019. In course of cross examination of the witnesses in the trial, it is stated that the alleged victim and her mother both have been examined and both were declared hostile. There is no



chance of the petitioner being convicted in the instant case and as such he may be enlarged on bail. The petitioner undertakes to cooperate in the trial.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case, the nature of allegation together with the trial in the Court below having proceeded, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

Learned trial Court is directed to expedite the trial and conclude the same within a period of six months.

(Partha Sarthy, J)

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