

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18268 of 2021**

Arising Out of PS. Case No.-216 Year-2019 Thana- GHORASAHAN District- East
Champaran

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RAJU MAHTO S/o Deeplal Mahto @ Deea Mahto R/o village- Bijbani, P.S.-
Jitna, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Ranjana Srivastava, Adv.
For the Opposite Party/s : Ms. Rina Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

7 01-02-2022 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 302, 376, 201,
511 and 34 of the Indian Penal Code and sections 8 and 10 of
the POCSO Act.

As per the prosecution case, on seeing the
petitioner coming at 11 pm, an enquiry was made as to where he
was coming from on which it is stated that he gave a reply.
In spite of search, the daughter of the informant was not to be
found. Subsequently, the next day a dead body was found and it
appeared that some one had made an attempt to commit rape on
her, had killed her and thrown her in the river.



It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. The suspicion raised against him is unsubstantiated. The trial in the case commenced and from the deposition of the prosecution witnesses brought on record as annexure to the supplementary affidavit it would transpire that there are no eye witness to the occurrence nor any material has come to connect the petitioner with the alleged offence. The petitioner is in custody since 11.8.2019 and has no criminal antecedent. There is no chance of the trial concluding in the near future.

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

Having heard learned counsel for the parties and from perusal of the materials on record specially the depositions of P.W.3, P.W.4, P.W.6 and P.W. 7 and the trial having progressed, 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.

(Partha Sarthy, J)

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