

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19088 of 2022

Arising Out of PS. Case No.-631 Year-2017 Thana- PHULWARISHARIF District- Patna

MD. SHAMIM @ ASLAM S/o Late Reyaz R/o Mohalla- Ishapur, P.S.-
Phulwarisharif, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Saifur Rahman

For the Opposite Party/s : Mr.Nirmala Kumari

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 27-07-2022 The present petition is by way of ^{4th} attempt at the behest of the petitioner for grant of bail in connection with Phulwarisharif P.S. Case No. 631 of 2017 for the offence registered under Section 376 of the Indian Penal Code and Section 4 of POCSO Act with POCSO Case No. 154 of 2017 in as much as the earlier prayers of the petitioner for grant of bail have all been rejected by this Court.

The learned counsel for the petitioner submits that despite the petitioner being in custody since 07.10.2017 i.e. for nearly about four years and nine months, not a single witness has been examined till date.

Considering the facts and circumstances of the present case, the petitioner is granted liberty to renew his prayer for bail, in case trial is not concluded within a period of six months



from today.

The learned Additional Sessions Judge-VI-cum- Spl. Judge, POCSO Act, Patna is directed to conclude the trial within a period of six months from today.

This Court deprecates the conduct of the concerned court with regard to non-examination of even a single witness in the pending trial i.e. Special (POCSO) Case No. 154 of 2017. The Ld. Court below is warned of suitable disciplinary action in the event of non-conclusion of the trial within six months.

The present petitions stands disposed of with the aforesaid liberty to the petitioner.

(Mohit Kumar Shah, J)

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