

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22730 of 2022

Arising Out of PS. Case No.-17 Year-2020 Thana- MEDNI CHAUKI District- Lakhisarai

Dhiraj Kumar S/o Arjun Mahto R/o village- Devghara Chandra Tola, P.S.-
Mednichuki, District- Lakhisarai

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

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

For the Opposite Party/s : Mr. Sanjay Kumar Sharma, APP.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 26-07-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Mednichouki P.S. Case No. 17 of 2020 lodged under Sections
448, 341, 342, 323, 366(A), 354, 506, 34 of the Indian Penal
Code read with Section 8 of the POCSO Act.

As per the prosecution case, the allegation against the
petitioner is to kidnap the daughter of the informant and brought
to his house. She was also recovered from the house of the
petitioner in unconscious stage, thereafter this case has been
lodged. The age of the victim as per the F.I.R. is 13 years.

Learned counsel for the petitioner submits that trial in
this case has advanced. The statement of the alleged victim has
taken place under Section 164 of the Cr.P.C. in which she has



denied the allegation made in the F.I.R. It has also been submitted that till date all prosecution witnesses are not supporting the case of the prosecution and there is likelihood of closing of the prosecution case in few months since evidence are not coming against the present petitioner, therefore, he may be granted bail. He is in custody since 28.11.2022.

Learned counsel for the State submits that since trial has at advance stage and at least on two occasions the accuse shall have to physically appeared that is at the stage of 313 as well as on the day of judgment and, therefore, a direction may be given to conclude the trial at the earliest.

Considering the facts and circumstances and the submissions made above by the parties and considering this aspect that the petitioner is accused in POCSO. I am not inclined to grant bail to petitioner, therefore bail is rejected. But hereby directed to the Trial Court to conclude the trial within 3 months.

With the aforesaid direction, the application for bail is rejected.

(Dr. Anshuman, J)

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