

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL REVISION No.411 of 2022**

Arising Out of PS. Case No.-257 Year-2019 Thana- LAHERIYASARAI District- Darbhanga

XXX, Son of Late Ramu Ram Resident of Village - Kabirchak, P.s.- Sadar,
Distt.- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar Das, Advocate
For the Respondent/s : Mr.Akhileshwar Dayal, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

4 11-11-2022 Heard learned counsel for the petitioner and Mr.
Akhileshwar Dayal, learned APP for the State.

Petitioner in the present case is seeking setting aside of the order dated 23.02.2022 passed in P.C. No.3/2020 arising out of Laheriasarai P.S. Case No.257/2019 by learned 1st Additional Sessions Judge-cum-P.O., Children Court, Darbhanga by which the learned 1st Additional Sessions Judge-cum-P.O., Children Court, Darbhanga has been pleased to affirm the order dated 15.09.2020 passed in JJB No.391/2020 by learned Principal Magistrate, JJB, Darbhanga whereby and whereunder the prayer for bail of the petitioner has been rejected.

Learned counsel for the petitioner submits that the



petitioner was working as an employee in the shop of the father of the victim girl and on account of some disputes over payment of his salary, the petitioner has been framed in this case. The allegation is that the petitioner was caught in the house of the informant while committing rape with 3½ years old daughter of the informant.

Learned counsel further submits that the Juvenile Justice Board has adjudged the petitioner juvenile aged between 17-18 years.

By filing a supplementary affidavit, learned counsel has brought on record the deposition of the two witnesses.

Learned APP for the State submits that since the trial has already begun and the victim girl is yet to be examined, it would only be appropriate that at this stage the petitioner be not enlarged on bail, instead a direction may be given to the learned trial court to conclude the trial as early as possible.

Having regard to the fact that the petitioner is being tried as an adult and at this stage the trial has already begun but the victim girl is yet to be examined, this Court is not inclined to release the petitioner on bail at this stage.

This application is dismissed.

Let the learned trial court proceed to conclude the trial



as early as possible preferably within a period of four months from the date of communication of this order. The prosecution as well as the defence must cooperate in early conclusion of the trial.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

