

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43362 of 2021**

Arising Out of PS. Case No.-133 Year-2015 Thana- TEKARI District- Gaya

SHRAWAN KUMAR @ SARWAN KUMAR Son of Kameshwar Mistri
Resident of Village - Dighauar, P.S.- Tekari (Panchanpur), District - Gaya.
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar, Advocate
For the Opposite Party/s : Mr. Rana Randhir Singh, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 12-01-2022 Heard learned counsel for the petitioner and Shri Rana Randhir Singh, learned A.P.P. for the State through virtual court proceedings.

Let the defect(s), if any, be removed within a period of four weeks after complete start of the physical Court.

Learned counsel for the petitioner submits that trial in the case has commenced and out of eight witnesses, four witnesses have been examined, the informant (brother of the victim), mother of the victim, father of the victim and one independent witness Mukesh Kumar have been declared hostile. Learned counsel for the petitioner submits that victim is not a charge-sheet witness and as far as her age is concerned after radiological examination the victim was assessed to be 19 years of age as would be evident from Annexure-2 series, page 20 of the bail application. Learned counsel for the petitioner further



submits that now the Doctor, Investigating Officer and two other witnesses are remained to be examined.

At this stage, the learned counsel for the petitioner seeks permission to withdraw the bail application with liberty to the petitioner to renew his bail application in the event the trial is not concluded within three months from the date of receipt/production of a copy of this order.

Permission is accorded.

Accordingly, this application is dismissed as withdrawn in connection with Tekari (Panchangpur) P.S. Case No. 133 of 2015 pending in the Court of learned Special Court Judge (POCSO) Act, Gaya.

(Satyavrat Verma, J)

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