

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44203 of 2021

In
CRIMINAL APPEAL (SJ) No.80 of 2021

Arising Out of PS. Case No.-216 Year-2020 Thana- SIKARPUR District- West Champaran

AWADHESH KUSHWAHA, Son of Late Keshwar Prasad Resident of village
- Gauripur, Majharia, Police Station - Shikarpur, District - West Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar No 7, Advocate

For the Opposite Party/s : Mr.Binay Krishna, Spl. P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

10 12-04-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner, who is in custody since 07.05.2020 seeks bail in connection with Shikarpur P.S. Case No. 216 of 2020, registered for the offence punishable under Section 376/34 of the Indian Penal Code, Section 4/6 of the POCSO Act and Under Section 3(i)(r)(s)(w) of the SC/ST (POA) Act, pending in the Court of learned Addl. Sessions Judge-VII-cum-Special Judge, POCSO, Bettiah, West Champaran.

The allegation is commission of rape with the minor daughter of informant aged about 16 years, which has been supported by the statement of the victim under Section 164 Cr.P.C.

Considering the facts and circumstances of the case



and seriousness of the allegation, I am not inclined to enlarge the petitioner on bail, at this stage. Accordingly, the prayer for grant of regular bail is rejected.

However, the learned trial Court is directed to conclude the trial expeditiously, well within a period of six months. If no substantial progress takes place in trial, the petitioner, if so advised, may renew his prayer for bail after six month.

(Purnendu Singh, J)

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