

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46537 of 2021

Arising Out of PS. Case No.-481 Year-2020 Thana- GHOSI District- Jehanabad

RAJU PASWAN S/o Birendra Paswan Resident of village - Barki
Babhanpura, P.S. - Ghoshi, District - Jehanabad.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Krishna Prasad Singh, Sr. Adv. Mr. Bhaskar Shankar, Adv.
For the Opposite Party/s	:	Mr. Uday Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 29-03-2022 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 377 and 506 of the Indian Penal Code and sections 4 and 6 of the POCSO Act.

It is submitted by learned Senior counsel for the petitioner that the petitioner has been falsely implicated in the case because of land dispute. No such occurrence as alleged in the F.I.R. has taken place. The injury report does not support the allegations as levelled in the FIR. The petitioner is in custody since 11.12.2020 and undertakes to cooperate in the trial. He has no criminal antecedent.

The application for bail is opposed by learned



A.P.P. for the State who submits that the trial has already proceeded and prosecution witnesses have been examined. It is further submitted that the victim has also supported the case under section 164 Cr.P.C.,

A report was called for from the learned trial Court. As per the report received four out of the six chargesheet witnesses including the victim have been examined and the doctor and the Investigating Officer remain to be examined.

Having heard learned counsel for the parties and taking into consideration the materials on record, the allegation the FIR, the statement of the victim under section 164 Cr.P.C. together with the progress in the trial, the Court is not inclined to enlarge the petitioner and bail and the application is rejected.

Learned trial Court is directed to expedite the trial and to conclude the same preferably within four months from the date of receipt/communication of this order. The Superintendent of Police, Jehanabad shall ensure the presence of the doctor and the Investigating Officer in the case on the date fixed in the trial.

(Partha Sarthy, J)

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