

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61278 of 2021

Arising Out of PS. Case No.-26 Year-2020 Thana- MAHILA P.S. District- Nawada

DEWA CHAUDHARY @ DEVA CHAUDHARY Son of Late Dukhan Chaudhary Resident of Village - Akbarpur Hat Par, P.S.- Akbarpur, District - Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shankar Kumar

For the Opposite Party/s : Mr.Satya Nand Shukla

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 02-02-2022 Heard the learned counsel for the petitioner and

the learned APP for the State.

The petitioner seeks bail in connection with Mahila P.S. Case No. 26 of 2020 instituted for the offences under Sections 376 (A) (B) of the Indian Penal Code and Section 4 of the POCSO Act.

The prayer for bail of the petitioner was earlier rejected vide order dated 15.12.2020 passed in Cr. Misc. No. 33457 of 2020.

This Court had called for a report about the stage of the case from the court below vide order dated 15.12.2021. The report dated 03rd of January 2022 reveals



that six prosecution witnesses have been examined in this case and only I.O. and the doctor are left to be examined.

It appears that the trial would be concluded in near future.

Considering the aforesaid stage of the case and the nature of accusation against the petitioner, I am not inclined to grant bail to him during the pendency of the Trial.

The prayer for bail is rejected.

However, if the trial is not concluded within the next three months, it would be open for the petitioner to move the Trial Court for grant of bail during the pendency of the trial and in that even the Trial Court shall be under an obligation to record the reasons for not concluding the trial even when only two witnesses are left to be examined.

The petition stands disposed of accordingly.

(Ashutosh Kumar, J)

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