

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12482 of 2023

Arising Out of PS. Case No.-669 Year-2020 Thana- PHULWARISHARIF District- Patna

JIPU @ JITENDRA PASWAN @ JITENDRA KUMAR @ JITU Son of
Tilleshwar Paswan R/v- Kamrapur, P.S.- Athmalgola, District- Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramakant Sharma, Sr. Adocate.
Mr. Lakshmi Kant Sharma, Advocate
Mr. Akshay Ashish, Advocate
Mr. Arun Kumar, Advocate.

For the Opposite Party/s : Ms. Rita Verma, Advocate.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 22-03-2023 Heard Mr. Ramakant Sharma, learned senior counsel for
the petitioner and Ms. Rita Verma, learned Additional Public
Prosecutor appearing for the State.

Petitioner seeks regular bail in connection with Special
Case No. 206 of 2020 arising out of Phulwarisharif P.S. Case No.
669 of 2020 registered for the offence punishable under Section
354(B) of the Indian Penal Code and Sections 10/12 of Prevention
of Children from Sexual Offences Act.

This is second attempt for grant of regular bail on behalf
of the petitioner inasmuch as earlier the bail application of the
petitioner was rejected by this Court on merit vide order dated
07.04.2022 passed in Cr. Misc. 38066 of 2021.



Learned counsel for the petitioner submits that the petitioner is in custody since 5.1.2.2020 and the trial has not registered any substantial progress.

This Court vide order dated 22.02.2023 had called for a report from the trial court regarding stage of trial and in pursuance thereof, the report of learned 6th Additional District and Sessions Judge-cum-Excl. Special Judge, POCSO Act, Patna, dated 20.03.2023, is on record and from perusal of the same, it transpires that out of six charge sheet witnesses, two witnesses have been examined and cross-examined. The trial court has given the estimated time to conclude the trial within a period of six months.

In view of the aforesaid report and taking into consideration the nature of allegation, I am not inclined to grant bail to the petitioner at this stage.

Accordingly, the prayer for bail of the petitioner stands rejected.

However, the petitioner may renew his prayer for bail after six months if the trial does not show any progress.

(Anil Kumar Sinha, J)

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