

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24052 of 2023

Arising Out of PS. Case No.-44 Year-2020 Thana- BANDHUWA KURAWA District- Banka

PAPPU PASWAN S/O DHANESHWAR PASWAN R/O VILLEGEMADHOPUR, P.S- BANDHUWA KURWA, DISTRICT- BANKA

... .. Petitioner/s

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar @Deepak Sahay, Advocate
For the Opposite Party/s : Mr. Raj Kishor Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 03-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has renewed his prayer for bail in connection with Kurwa P.S. Case no. 44 of 2020 registered under sections 366A and 34 of the Indian Penal Code to which section 376 of the Indian Penal Code and section 4 of the POCSO Act were added subsequently.

As per the prosecution case, the minor daughter of the informant was kidnapped by the accused persons for the purpose of marriage.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. There is an unexplained delay of fifteen days in lodging of the FIR. In course of investigation the alleged victim was found to be



major. The petitioner is in custody since 25.9.2020 and the trial has still not concluded.

Heard learned APP for the State.

A report was called for from the learned trial Court. As per the report received contained in letter no. 78 dated 19.4.2023 of the learned A.D.J-VI-cum-Spl Judge, POCSO, Banka, in the trial the defence witnesses are examined.

Having heard learned counsel for the parties and taking into consideration the nature of allegation against the petitioner together with the report with respect to the stage of the trial received from the learned trial Court according to which the trial is in an advanced stage, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

Learned trial Court is directed to expedite the trial and to conclude the same at the earliest preferably within a period of three months from the date of conclusion of the defence evidence.

(Partha Sarthy, J)

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