

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27606 of 2023**

Arising Out of PS. Case No.-69 Year-2022 Thana- ISHAKCHAK District- Bhagalpur

RAJEEV KUMAR JHA @ RAJEEV JHA Son of Late Jitendra Jha @ Jitendra Prasad Jha Resident of Mohalla-Ishakchak, Lichi Bagan, P.S.-Ishakchak, District-Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Jha, Adv.

For the Opposite Party/s : Mr.Ganesh Prasad Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

3 05-07-2023 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner seeks bail in connection with Special Case POCSO No. 67 of 2022 arising out of Ishakchak P.S. Case No. 69 of 2022 dated 19.04.2022 registered for the offence under Sections 341, 323, 447, 354(B) and 509 of the Indian Penal Code and Sections 8 and 12 of the POCSO Act.

The petitioner is alleged to have outraged the modesty of the minor daughter of the informant.

Earlier the prayer for bail of this petitioner has been rejected vide order dated 27.09.2022 passed in Cr. Misc. No. 29989 of 2022 considering the case of the petitioner on merit.

A report with regard to present stage of the trial has been called for by this Court vide order dated 26.04.2023 which



has been received and forms part of this application at Flag-X dated 29.04.2023. On perusal thereof, it would reveal that the all prosecution witnesses have examined and the record is pending for adducing the defence evidence.

Learned counsel appearing for the petitioner referring to the aforesaid report submits that the trial of this case is not likely to be concluded in near future and the petitioner is languishing in judicial custody since 20.04.2022.

Since the prayer for bail of this petitioner has already been adjudicated on merit on earlier occasion, taking note of the present stage of the trial, this Court would not feel incline to re-enter into merits of the case.

Considering the facts and circumstances of the case and the stage of the trial which appears to have substantial progress, this Court is not inclined to enlarge the petitioner. Accordingly, the prayer for bail of this petitioner is rejected.

However, learned trial court is directed to expedite the trial at the earliest.

(Rajesh Kumar Verma, J)

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