

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30569 of 2023

Arising Out of PS. Case No.-53 Year-2022 Thana- TARAPUR District- Munger

ROSHAN KUMAR s/o Late Krishnadev Sah @ Krishna Prasad Sah Resident
of Loharsari Gali, P.S. Tarapur, Distt- Munger

... .. Petitioner/s

Versus

1. The State of Bihar
2. Umesh Sharam s/o Late Khublal Sharma Resident of Loharsari Gali, P.S.
Tarapur, Distt- Munger

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. N.K.Agrawal, Sr. Adv.

Mr. Jyoti Ranjan Jha, Adv.

For the Opposite Party/s : Mr. Mohammad Sufyan, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 26-07-2023 1. Heard Mr. N.K. Agrawal, learned Senior counsel for
the petitioner and learned Additional Public Prosecutor for the
State.

2. Petitioner seeks bail, who is in custody since
18.04.2022 in connection with POCSO Case No.25/2022, arising
out of Tarapur P.S. Case No. 53/2022, F.I.R. dated 17.04.2022 for
the offences punishable under Section 376(3) of the IPC &
Section 4 of POCSO Act.

3. According to prosecution case, the petitioner is
alleged to have committed rape upon the grand daughter of the
informant.

4. Earlier the bail petition of the petitioner was
dismissed as withdrawn with liberty to file a fresh application
vide order dated 13.04.2023 in Cr. Misc. No. 37153/2022.

5. Vide order dated 05.07.2023 a report was called for



from the learned Trial Court. Report dated 14.07.2023 of the learned Trial Court reveals that out of 8 charge sheeted witnesses, all have been examined.

6. Learned Additional Public Prosecutor for the State on the other hand has opposed the prayer for bail of the petitioner.

7. Considering the report of the learned Trial Court, I am not inclined to enlarge the petitioner on bail in connection with POCSO Case No.25/2022, arising out of Tarapur P.S. Case No. 53/2022, pending in the Court of learned Exclusive Special Judge (POCSO Act)-cum-Additional Sessions Judge-VI, Munger.

8. Prayer is refused.

9. However, learned Trial Court is directed to expedite the trial and conclude the same at the earliest.

(Rajesh Kumar Verma, J)

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