

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37952 of 2023

Arising Out of PS. Case No.-29 Year-2018 Thana- MAHILA P.S. District- Muzaffarpur

RANJAN KUMAR son of Yogendra Das Village- Parmanandpur Ps-
Dewariya Dist- Muzaffarpur Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prabhat Kumar Singh

For the Opposite Party/s : Mr.Pradeep Narain Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 3 26-07-2023 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. The petitioner seeks regular bail in connection with Mahila Police Station Case No. 29 of 2018, dated 28.05.2018, registered for the offences punishable under Sections 376-D/506/34 of the Indian Penal Code and Section 4/6 of the Prevention of Children from Sexual Offences Act, 2012.
3. This is the second attempt on behalf of the petitioner for grant of regular bail. Earlier, the prayer for regular bail of the petitioner was rejected by this Court, vide order, dated 26.11.2020, passed in Criminal Misc. No. 25653 of 2020.
4. The allegation, as per the First Information Report, is that on 23.05.2018, in the evening at about 7.00 P.M., the petitioner came to the residence of maternal grandfather of the informant and told that her mother was ill and



requested the maternal grandfather of the informant that the informant may be allowed to accompany the petitioner. It has further been alleged that since the petitioner is the co-villager of the informant, she agreed to accompany the petitioner on his motorcycle. The informant further alleged that after some time the petitioner stopped the motorcycle at a lonely place and tried to allure her to establish physical relationship with him and when the informant protested, the petitioner took out a knife and threatened her to kill and committed rape upon her and further one unknown person also committed rape upon the informant and threatened her not to disclose this fact to anybody. The informant is a minor girl and has supported the prosecution case in her statement recorded under Section 164 of the Code of Criminal Procedure, 1973.

5. Learned Counsel for the petitioner submits that the petitioner is in custody since 21.08.2019 and the trial has not progressed satisfactorily.
6. This Court, vide order, dated 21.06.2023, had called for a report from the learned District Court regarding the stage of the case and in pursuance of the said order, a report has



been submitted by learned 7th Additional Sessions Judge -cum- Special Judge, POCSO Court-II, Muzaffarpur, and from perusal of the same, it would be evident that all the charge sheet witnesses have been examined and the trial is pending for examination of the doctor, whose name was not mentioned in the charge sheet and accordingly the doctor has been summoned by the learned Trial Court. It is further mentioned in the report that the trial is likely to be concluded within one to two months.

7. After having heard learned Counsel for the parties and taking into consideration the fact that all the charge sheet witnesses have been examined and the learned Trial Court has given estimated time for completion of the trial as one to two months, I am not inclined to grant regular bail to the petitioner, at this stage.
8. This application is, accordingly, dismissed.
9. However, the petitioner will be at liberty to renew his prayer for bail after three months from today, if the trial is not concluded by that time.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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