

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41313 of 2023

Arising Out of PS. Case No.-2 Year-2022 Thana- MAHILA P.S. District- Rohtas

SHARAD KANT GUPTA @ SARAD KANT @ TONI Son of Lal Babu
Gupta Resident of Village - Dahiyari, P.S.- Karakat, District - Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mithilesh Kumar Singh, Advocate

For the Opposite Party/s : Mr.Ram Bilash Roy Raman, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

5 10-11-2023 Heard the parties.

2. The petitioner is in judicial custody in connection with Mahila P.S. Case No. 02 of 2022 (POCSO Case No. 34 of 2022) for the offences under sections 376, 506/34 of the Indian Penal Code and Section 4/6 of the POCSO Act.

3. The victim girl in her F.I.R. has alleged rape against the petitioner herein, a fact corroborated in her statement under Section 164 of the POCSO Act and further the police has also submitted charge sheet amongst other the petitioner herein under the POCSO Act.

4. A report was called for which was received and as per letter no. 95 dated 31.7.2023, seven charge-sheeted witnesses were examined and the case was pending awaiting FSL report.



5. In view of the fact that the report has accordingly been sent by the FSL, Patna to the Trial Court vide letter no. 3471 dated 28.10.2023, this Court is not inclined to go into the merit of the report as the Trial Court is already in seisin of the matter.

6. Taking into account the aforesaid fact, the bail application is rejected for the present with a direction to the Trial Court to conclude the trial within a period of four months from today.

(Rajiv Roy, J)

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