

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60408 of 2022

Arising Out of PS. Case No.-15 Year-2022 Thana- ARWAL MAHILA District- Jehanabad

PHULESH MANJHI @ PHULESH KUMAR SON OF SHARIFA MANJHI
Resident of village- Keyal, P.S.- Karpi, District- Arwal.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Parashuram Singh, Advocate
For the Informant/s : Mr. Nitya Nand Neeraj, Advocate
For the Opposite Party/s : Mr. Anuj Kumar Shrivastava, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

4 01-05-2023 1. Heard learned counsel for the petitioner,
learned counsel for the Informant and learned APP for the State.

2. Petitioner seeks regular bail in connection with Special POCSO Case No.70 of 2022 arising out of Arwal (Mahila) P.S. Case No.15 of 2022 dated 18.07.2022 registered for the offences punishable under Section 376 AB of the Indian Penal Code and Sections 4/6 of POCSO Act.

3. As per the prosecution, the informant's daughter was forcefully raped by this petitioner at the alleged place.

4. The main submissions advanced by the learned counsel for the petitioner are that the petitioner has fair and clean antecedent and in respect of alleged offences his trial



has started and he has been languishing in jail since 20.07.2022 and he is a student and he is stated to be aged about 19 years.

5. Learned counsel appearing for the Informant has vehemently opposed the bail prayer and submitted that the petitioner's trial is at advanced stage and all the private prosecution witnesses have been examined and investigating officer and doctor concerned are only to be examined and there is a serious allegation against the petitioner in the FIR.

6. Learned APP appearing for the State has also opposed the bail prayer.

7. Considering the seriousness of the allegation appearing against the petitioner from the FIR and also the fact that the petitioner's trial is at advanced stage, in the opinion of this Court it will not be proper to enlarge the petitioner on bail at this stage. Accordingly, his bail prayer stands rejected.

8. Petitioner may renew his bail prayer after six months, if his trial is not concluded within the said period and he cooperates in his trial.

(Shailendra Singh, J)

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