

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60612 of 2022

Arising Out of PS. Case No.-696 Year-2021 Thana- AKBARPUR District- Nawada

Ganesh Sharma S/O Gayanand Thakur @ Gajanan Sharma@ Gajanand
Sharma Resident Of Village- Barail, P.S.- Akbarpur, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hansraj

For the Opposite Party/s : Mr.Choubey Jawahar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

8 14-09-2023 1. Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

2. The petitioner has prayed for regular bail in a case
registered for the offence punishable under sections 341, 354B,
323, 34 of the Indian Penal Code and Section 8 of the POCSO
Act and chargesheet has been submitted under Section 376,
341, 354B, 323, 34 of the IPC and Sections 4 and 8 of the
POCSO Act.

3. As per prosecution case, the allegation against the
accused persons including the petitioner is that they forcibly
took away the informant in a lonely place and tried to outrage
her modesty and when she raised *hulla*, they after beating her
by fists and slaps fled away from the place.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. He has got no criminal antecedent. It is further submitted that the petitioner is languishing in judicial custody since 25.12.2021.

5. Learned APP appearing for the state and learned counsel for the informant have vehemently opposed the prayer of regular bail and submitted that the petitioner forcibly committed wrong offence with the victim. And as per statement of the victim recorded under Section 164 of the Cr.P.C., which is annexed with Case Diary, wherein she has also supported the prosecution version.

6. In pursuance to the direction of this court, a fresh report dt. 5.8.2023 with regard to present stage of trial has been received by which it appears that the trial is likely to be concluded within a period of four months.

7. Having heard the learned counsel for the parties and considering the fact that there is direct allegation against the petitioner, this court is not inclined to enlarge the petitioner on bail and, as such, his prayer for bail stands rejected.

8. The trial Court is directed to expedite the trial within stipulated period of time which is mentioned in its



progress Report (i.e four months), failing which the petitioner
may renew his prayer of bail.

(Sunil Kumar Panwar, J)

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