

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62180 of 2022

Arising Out of PS. Case No.-93 Year-2019 Thana- VIDYAPATINAGAR District- Samastipur

VIKASH KUMAR @ VIKASH KUMAR RAY S/O HARICHARAN RAY @
VATHU RAI Resident of village- Bathua Bujurg Sihma, Ward No- 14, P.S.-
Musrigharari, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Setu Prateek, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 11-01-2023 Heard learned counsel for the parties.

The petitioner has renewed his prayer for bail in a case under sections 363, 366A and 34 of the Indian Penal Code.

As per the prosecution case, the daughter of the informant disappeared and was seen going along with the petitioner on his motorcycle.

The earlier application for bail of the petitioner was rejected vide order dated 11.2.2022 (Annexure-1) passed in Cr. Misc. no. 30562 of 2021.

It is submitted by learned counsel for the petitioner that inspite of the petitioner being in custody since 24.12.2020 and cooperating in the learned trial Court, there is no chance of the trial concluding in the near future. He has no criminal



antecedent and has a very good case on merits.

Heard learned A.P.P. for the State.

A report was called for from the learned trial Court.

As per the report received contained in letter dated 30.11.2022 of the learned ADJ VI-cum-Special Judge, I/c POCSO, Samastipur, four out of five prosecution witnesses have been examined till 30.11.2022.

Having heard learned counsel for the parties and taking into consideration the nature of allegation against the petitioner including the statement of the alleged victim under section 164 Cr.P.C. together with the progress in the trial in the learned trial Court wherein four out of five prosecution witnesses have been examined, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

Learned trial is directed to expedite the trial.

(Partha Sarthy, J)

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