

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71293 of 2021

Arising Out of PS. Case No.-138 Year-2020 Thana- KADWA District- Katihar

Narayan Sah Son of Late Pannu Sah Resident of Village - Geriya, P.S.-
Kadwa, Distt.- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bidhan Chandra Jha, Advocate

For the Opposite Party/s : Mr. Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

6 15-02-2023 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 376, 511, 377, 385 of the
Indian Penal Code and Section 8 of the POCSO Act.

Earlier the prayer for bail of the petitioner was
rejected vide order dated 21.05.2021 passed in Cr. Misc. No. 2006
of 2021.

Pursuant to the order dated 09.11.2022, a report has
been submitted by the learned Trial Court vide order dated
04.02.2023 in which it is stated that out of eight prosecution
witnesses, six prosecution witnesses have been examined and
only two witnesses are yet to be examined.

The present bail petition has been filed on behalf of the



petitioner on the ground that the charge has been framed on 22.01.2021 and the petitioner is in custody since 11.07.2020.

Learned APP for the State, on the other hand, has opposed the prayer for bail of the petitioner and submits that the trial is going on and only two prosecution witnesses are yet to be examined.

Considering the aforesaid facts that the trial is going on, I am not inclined to enlarge the petitioner on bail in connection with Kadwa P.S. Case No. 138 of 2020, G.R. No. 2742 of 2020 pending in the Court of learned Additional Sessions Judge-VII-cum-Special Judge (POCSO), Katihar.

Prayer is refused.

However, the learned Trial court is directed to expedite the trial.

(Rajesh Kumar Verma, J)

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