

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63798 of 2022

Arising Out of PS. Case No.-70 Year-2020 Thana- MAHILA P.S. District- Muzaffarpur

JULI, Wife of Md. Dillu, Resident of Village- Shukla Road, Jora Gali,
Chaturbhuja Asthan, P.S.- Town, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Ranjan, Advocate

For the Opposite Party/s : Mr. Akhileshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 28-06-2023 Heard learned counsel for the petitioner and learned
APP for the State. Also perused the report dated 25.04.2023
received from the learned ADJ-VII-cum-Spl. Judge POCSO (II),
Muzaffarpur.

By filing this application, the petitioner has renewed
her prayer for bail in connection with Mahila P.S. Case No.70 of
2020 registered for the offences punishable under Sections 331,
342, 366(A), 506, 370(A), 376 and 373/34 of the Indian Penal
Code, Section 4/5 of the POCSO Act and Sections 3, 4, 5 and 6
of the Immoral Traffic Prevention Act.

Earlier the prayer for bail of the petitioner was
rejected by this Court vide order dated 08.02.2020 passed in
Cr.Misc.No.40676 of 2021. By the said order, while refusing
bail, this Court had directed the learned trial court to proceed



with the trial as early as possible and all endeavours be made to conclude the same within a period of six months from the date of communication of the order.

From the report of the learned trial court, it appears that the charge was framed against the petitioner on 31.08.2021 and summons were directed to be issued against the witnesses. It is recorded that the office had not complied with the order dated 19.04.2023 to issue summons against the prosecution witnesses and further that the record was placed before the P.O. only on 19.04.2023 for the first time. Out of 15 witnesses in total, 7 prosecution witnesses have been examined hitherto. The learned trial court has, however, recorded that the trial may be concluded by 30th June, 2023.

In the aforesaid view of the matter particularly that the trial itself is to be concluded very soon, this Court is not inclined to release the petitioner on bail. Let the trial be expedited and it should be concluded at the earliest.

So far as the non-compliance with the order of the court is concerned, the same be brought to the notice of the learned District and Sessions Judge, Muzaffarpur for taking appropriating steps to examine the said aspect and if required fix the responsibility. If the trial is not concluded within the



time indicated by the learned trial court, it will be open for the petitioner to apply for bail in the trial court itself which will be considered without being prejudiced by the earlier order of this Court.

This application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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