

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36301 of 2024

Arising Out of PS. Case No.-739 Year-2018 Thana- SITAMARHI District- Sitamarhi

Manish Kumar Son of Shivratana Ray Resident of Village- Nimahi, P.S-
Bajpatti, District -Sitamarahi

... .. Petitioner/s

Versus

The State Of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shanti Bhushan Singh, Advocate

For the Opposite Party/s : Mr. Ram Sumiran Rai, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 09-08-2024

1. Heard learned counsel for the parties.

2. The petitioner has renewed his prayer for bail in connection with Sitamarhi P.S. Case no.739 of 2018 for the offence punishable under sections 363 and 366A of the Indian Penal Code and sections 4 and 6 of the POCSO Act was added later on.

3. As per the prosecution case the informant states that his daughter disappeared and on inquiry it transpired that the petitioner had taken away his minor daughter. Similar occurrence had occurred even on earlier occasion.

4. It is submitted by learned counsel for the petitioner that the earlier application for bail of the petitioner was rejected vide order dated 17.1.2023 (Annexure-1) passed in Cr. Misc. no.917 of 2022. In spite of the petitioner having



remained in custody since 5.10.2021 the trial has still not concluded nor there is any chance of the same concluding in the near future.

5. The application for bail is opposed by learned A.P.P. for the State.

6. A report was called for from the learned trial Court. As per report received contained in letter dated 19.7.2024 of the Additional Sessions Judge-IV-cum POCSO, Sitamarhi, four prosecution witnesses have been examined and rest four witnesses remain to be examined.

7. Having heard learned counsel for the parties and taking into consideration the allegations against the petitioner, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

8. Learned trial Court is directed to expedite the trial and to conclude the same preferably within a period of six months from the date of receipt of a copy of this order.

(Partha Sarthy, J)

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