

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51507 of 2024

Arising Out of PS. Case No.-25 Year-2022 Thana- AKILPUR District- Saran

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Santosh Ram Son of Yogendra Ram R/O Vill.- Didarganj, P.S.- Didarganj,
Dist.- Patna

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Rina Devi Wife of Bhim @ Tempu Rai R/O Vill.- Chiraiyatok Naya Pana-
pur, P.S.- Akilapur, Dist.- Saran

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar Sinha, Advocate
For the Opposite Party/s: Mr. Renu Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 19-07-2024 Heard the parties.

2. The petitioner is in custody in connection with Akilpur P.S. Case No. 25 of 2022 for the offence punishable under Section 376(AB) and under Sections 4/6 of the POCSO Act of the Indian Penal Code lodged on 18.04.2022 by the informant, Rina Devi.

3. As per the prosecution story, the allegation against the petitioner is to have caused aggravated penetrative sexual assault on four months old girl child.

4. Earlier, the bail application of the petitioner was rejected in Cr. Misc. No. 27419 of 2023 vide an order dated 25.08.2023 (Annexure-1 to the petition).

5. Learned counsel for the petitioner submits that as he is in custody since 19.04.2022 (paragraph-3 of the petition),



the learned Trial Court is delaying the trial, he having been in custody for more than two years is entitled to bail.

6. Learned APP opposes the prayer and has drawn the attention of this Court to the medical report to show that allegation of rape is on four months old girl child and the scratches that were found on her body as also bruised cheek, it clearly points finger to the allegation that has been levelled against the petitioner.

7. The allegation is grave, of having sexually assaulted a four months old child, in that backdrop, the petitioner does not deserves bail which is accordingly rejected.

8. However, this Court cannot lose sight of the fact that he is in custody since last two years and in that backdrop and as learned counsel for the petitioner informs that charges have been framed, the learned Trial Court is directed to expedite the trial and conclude the same within a period of nine months from today.

(Rajiv Roy, J)

Adnan/-

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