

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84051 of 2023

Arising Out of PS. Case No.-56 Year-2021 Thana- BAHERI District- Darbhanga

Niraj Kumar S/O Ram Kumar Yadav R/O VILLAGE- BASKATTI, P.S.-
BAHERI, DIST.- DARBHANGA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nilendu Kumar Choudhary, Advocate

For the Opposite Party/s : Mr. Murli Dhar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 23-02-2024 Heard Mr. Nilendu Kumar Choudhary, learned
counsel for the petitioner and Mr. Murli Dhar, learned APP for
the State.

2. Petitioner seeks bail, who is in custody since
26.07.2022, in connection with Baheri P.S. Case No. 56 of 2021,
F.I.R. dated 09.03.2021 registered for the offences punishable
under Section 376 of the Indian Penal Code and Sections 4/8 of
the POCSO Act.

3. Earlier the bail petition of the petitioner was
rejected vide order dated 29.06.2022 passed in Cr. Misc. No.
44067 of 2021 and thereafter the petitioner has again moved
before this Court in Cr. Misc. No. 52025 of 2022 and the same
was also rejected on 07.04.2023.

4. Learned counsel for the petitioner submits that



despite of the direction of this Hon'ble Court, the trial is not concluded as yet and the petitioner is in custody since 26.07.2022.

5. Learned APP for the State, on the other hand, vehemently opposed the prayer for bail of the petitioner and submits that there is direct and specific allegation against the petitioner that he has committed rape upon the victim and the report of the learned Trial Court reveals that the trial is in progress.

6. Considering the aforesaid facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail in connection with Baheri P.S. Case No. 56 of 2021 pending in the Court of learned Exclusive Special Judge (POCSO Act), Darbhanga.

7. Prayer is refused.

8. However, the learned Trial Court is directed to expedite the trial and conclude the same at the earliest.

(Rajesh Kumar Verma, J)

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