

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1061 of 2024

Arising Out of PS. Case No.-42 Year-2022 Thana- MAHILA P.S. District- Rohtas

Rupesh Bhagat @ Kundan Bhagat, son of Satyendra Bhagat, Resident of
village- Kaniari, Police Station -Dinara (Bhanas O.P.), District-Rohtas, Bihar
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashi Kant, Adv.

For the Opposite Party/s : Mr. Umanath Mishra, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 09-02-2024 1. Heard learned counsel for the petitioner and the
learned APP for the State.

2. Petitioner seeks regular bail in connection with
Mahila P.S. Case No. 42/2022 dated 15.06.2022 registered for
the offences punishable under Sections 366A and 376 of the
Indian Penal Code and Sections 4 and 6 of the POCSO Act.

3. The main submissions advanced by learned
counsel for the petitioner are that this is third attempt of the
petitioner to get the relief of regular bail after his earlier bail
prayers were rejected by this Bench vide orders dated
22.03.2023 and 26.07.2023 passed in Cr. Misc. Nos.
59288/2022 and 40256/2023 respectively and the petitioner
was given a liberty in the last rejection order to renew his bail
prayer, if his trial is not concluded in the next four months
from the date of that rejection order and accordingly, in the



light of the said liberty, he has come again before this Court to get the same relief and the fresh grounds taken by the appellant are that he has been languishing in jail since 06.08.2022 and all the prosecution's witnesses have been examined and on the last occasion when his second bail prayer was rejected, his case was running for awaiting of the FSL report and now the said report has been received by the trial court but his trial is still not concluded.

4. Learned APP appearing for the State has opposed the bail prayer.

5. From the above submissions, it appears that the petitioner's case is running at final stage so it will not be proper to enlarge him on bail at this stage. Accordingly, his bail prayer stands rejected.

6. The trial court is directed to decide the petitioner's case in the next two months and send the compliance report of this order to this Court.

7. Let the matter be listed after two months after receipt of the said report.

(Shailendra Singh, J)

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