

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86025 of 2024

Arising Out of PS. Case No.-107 Year-2019 Thana- MOUZAHDIPUR District- Bhagalpur

Prince Kumar Son of Munna Bhagat @ Munna Kumar Bhagat Resident of
Mohalla - Ganga Vihar Colony, P.S. - Mojahidpur, District - Bhagalpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Gautam Kumar Sah S/O Late Anuplal Sah R/O Ganga Bihar Colony
(Gidarwar Wedi), P.S- Babarganj, Distt.- Bhagalpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ranjan Kumar Jha, Advocate
For the State	:	Mr. Damodar Prasad Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 27-01-2025 Heard Mr. Ranjan Kumar Jha, learned counsel for
the petitioner and Mr. Damodar Prasad Tiwary, learned A.P.P.
for the State.

2. The petitioner seeks bail, who is in custody since
21.04.2019, in connection with POCSO Case No. 60/2019
arising out of Mojahidpur (Babarganj) P.S. Case No. 107/2019,
FIR dated 19.04.2019 for the offences punishable under
Sections 307, 457, 326(A) and 34 of the Indian Penal Code and
Sections 25(1-b)a/26/35 of the Arms Act. Later on Sections 341,
354, 380, 459 and 302 of the Indian Penal Code and Section 12
of the POCSO Act has also been added.

3. Earlier the prayer for bail of the petitioner was



rejected vide order dated 26.02.2020 passed in Cr. Misc. No. 81967 of 2019. Thereafter, the petitioner has again moved for bail in Cr. Misc. No. 81967 of 2019 which was rejected vide order dated 20.01.2021. Thirdly, the petitioner has again moved for bail in Cr. Misc. No. 34986 of 2023 which was rejected vide order dated 12.09.2023.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that the allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR. The petitioner is rotting in judicial custody since 21.04.2019.

5. Learned APP for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner has thrown Acid on the body of the informant's daughter and due to which she has sustained injury and later on during the treatment she died.

6. Vide order dated 13.12.2024, a report with regard to the present status of the trial was called for. Report of the learned Trial Court dated 18.12.2024 reveals that all the prosecution witnesses are examined except I.O., Mithlesh Kumar Choudhary and his cross examination is going on.



7. Considering the nature of allegation in the FIR as the report of the trial Court, I am not inclined to enlarge the petitioner on bail in connection with POCSO Case No. 60/2019 arising out of Mojahidpur (Babarganj) P.S. Case No. 107/2019 pending in the Court of learned Exclusive Special Judge POCSO-cum-Additional Sessions Judge VI, Bhagalpur.

8. Prayer is refused.

9. 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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