

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8205 of 2015

Arising Out of PS.Case No. -147 Year- 2014 Thana -BARHARIA District- SIWAN

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Dharmendra Kumar Son of Kapildeo Manjhi, Resident of Village- Barka Rohra, P.s.- Barharia, District- Siwan

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Raghav Prasad, Advocate.

For the Opposite Party : Mr. Uday Chandra Prasad(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

4 01-05-2015 Heard both sides.

The petitioner seeks bail in Barharia P.S. Case No. 147 of 2014, corresponding to Sessions Trial No. 379 of 2014, registered for the offence punishable under Section 376 of the Indian Penal Code.

The victim made allegation against the petitioner that while she was all alone in her house the petitioner committed rape with her.

Learned counsel for the petitioner submits that the case was lodged after four days of the occurrence. The victim was a major and the doctor did not find any sign of rape. The case was lodged only when the petitioner is said to have threatened the victim.

There appears that the victim also made her statement under Section 164 of the Cr.P.C. and she fully narrated the case.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner above named on bail. Accordingly, the same is rejected.

The trial court is directed to expedite the trial and conclude the same within six months from the date of receipt/production of a copy of this order and if the trial is not concluded the petitioner may renew his prayer for bail firstly before the court below.

(Prabhat Kumar Jha, J.)

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