

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22695 of 2015

Arising Out of PS.Case No. -182 Year- 2014 Thana -SURSAND District- SITAMARHI

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1. Sonu Kumar Son of Nawal Kishore Prasad Resident of Court Bazar,
Ward No. 12, P.S. Sitamarhi, District - Sitamarhi

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh

For the Opposite Party/s : Mr. Parmeshwar Mehta(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 08-10-2015 Heard learned counsel for the petitioner and learned
counsel representing the State.

Petitioner seeks bail in connection with Sursand P.S.
Case No. 182 of 2014 registered for the offences punishable under
Sections 376, 420 of the Indian Penal Code.

Allegedly, the petitioner met with the informant about
five months ago who is a minor girl and used to collect scrap and
other articles and took her to the house of Ramjeevan Thakur and
always committed rape with her resulting she became pregnant
and when the informant asked for marriage, the petitioner told her
for abortion.

Submission is of false implication and that the victim has
already been examined and she has been declared hostile and has

not supported the prosecution case though in statement recorded under Section 164 Cr.P.C. she made allegation against the petitioner.

Learned APP opposes the prayer of bail by submitting that the doctors of Medical Board found the victim pregnant and foetus dead, her age has been assessed as 16-17 years. The trial is in progress and, as such, the petitioner does not deserve bail.

In the facts and circumstances stated above, considering that the trial is in progress and against the petitioner there is serious allegation, this Court is not inclined to enlarge the petitioner on bail, accordingly, his such prayer stands rejected.

However, the trial court is directed to expedite the trial on priority basis and conclude the same in the light of amended proviso of Section 309 of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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