

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.25020 of 2015

Arising out of PS.Case No. -137 Year- 2009 Thana -BHAGWANPUR District-
VAISHALI(HAJIPUR)

Mukesh Kumar Chaudhary, son of Late Devendra Chaudhary, resident of
village - Ratanpura, P.S. - Bhagwanpur, District - Vaishali.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

Appearance :

For the Petitioner : Mr. Siddharth Harsh, Advocate.

For the Opposite Party : Mr. Pronoti Singh(App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 02-09-2015 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody since 04.01.2014
in connection with Sessions Trial no. 54 of 2014, arising out of
Bhagwanpur P.S. Case No. 137 of 2009 for the offences instituted
under Section 376/34 of the I.P.C.

The prosecution story, in brief, is that on 17.7.2009
when daughter of the informant, namely, Rekha Kumari @ Nisha
Kumari reached near the house of Parmanand Chaudhary the
petitioner including other co-accused persons caught hold her and
committed rape upon her.

It has been submitted on behalf of the petitioner that the

petitioner is in custody since 04.01.2014 and the charge has been framed in the present case. It is further submitted that the petitioner has falsely been implicated in the present case due to village politics.

On behalf of the State it has been submitted that there is direct allegation of commission of rape against this petitioner.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner in connection with Sessions Trial no. 54 of 2014, arising out of Bhagwanpur P.S. Case No. 137/2009, pending in the court of the learned Additional Sessions Judge-IIIrd, Vaishali at Hajipur. The same is rejected. Anyhow, the court below is directed to take all necessary steps to conclude the trial preferably within a period of six months from the date of receipt/production of copy of this order.

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(Sudhir Singh, J)