

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33097 of 2014

Arising Out of PS.Case No. -78 Year- 2013 Thana -SIRDALA District- NAWADA

Sagar Bhuiyan Son of Ishwari Bhuiyan Resident of Village-Bhagribigha,
P.S.-Sirdala, District-Nawada.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Choudhary

For the Opposite Party/s : Mr. Nirmal Kr.Sinha(App)

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 09-01-2015 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is in custody since 16.04.2014 in
connection with Sirdalla P.S. Case No. 78 of 2013 registered for
the offences punishable under Sections 302, 201, 349 of the Indian
Penal Code.

It is submitted on behalf of the petitioner that he is not
named in the FIR but subsequently on the statement of one Sobha
Kumari, the informant in his restatement has named the petitioner
as an accused who has taken away the victim girl. It was on
account of restatement alone that the petitioner has been roped in
the present case.

Learned counsel for the State submits that the diary in
the present case indicates that it was Shobha Kumari who had

given a statement to the informant that she along with the daughter of the informant had been taken away from the marriage ceremony and Sobha Kumari had returned and had tried to inform her mother about the said fact. However, since her mother was sleeping, she could not communicate to her and subsequently the daughter of the informant was found dead. Learned counsel for the State further submits that as per the postmortem report there is also evidence of rape and therefore, in the charge sheet submitted, Section 376 was also added.

Considering the aforementioned materials on record in the case diary in which the name of the petitioner has been specifically taken, I am not inclined to grant bail to the petitioner. It is accordingly rejected. However, considering the fact that the case is of the year 2014 and has not yet been set up for trial, let the same be committed to the Court of Sessions and be concluded within a period of one year from the date of communication of the order.

(Anjana Mishra, J)

Prakash/-

U		T	
---	--	---	--