

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45037 of 2014

Arising Out of PS.Case No. -326 Year- 2013 Thana -SUGAULI District-
EASTCHAMPARAN(MOTIHARI)

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Kundan Mahto, Son of Indrashan Mahto, Resident of Village -Kauwaha,
P.S. - Sugauli, District- East Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar

For the Opposite Party/s : Mr. Indu Bala Pandey, Addl.P.P.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 04-02-2015 The petitioner seeks bail in a criminal prosecution registered under Section 376 of the Indian Penal Code as also Section 4 of the Protection of Children from Sexual Offences Act, 2012.

Taking into consideration the fact that the petitioner is the sole accused in the FIR vide Annexure-1 and he is alleged to have committed the offence of rape with a minor girl aged about five years and further taking into consideration the fact that there is direct allegation of commission of crime in question against him in the FIR, his prayer for bail in connection with Protection of Children from Sexual Offence Act Case No.3/14 arising out of Sugauli P.S. Case No.326 of 2013 pending in the court of learned 1st Additional Sessions Judge-cum-special Judge, Protection of Children from Sexual Offences, East Champaran at Motihari is hereby rejected.

However, learned trial court is hereby directed to take up and expedite the trial of the petitioner and all endeavour should

be made to conclude the same at an early date preferably within a period of one year from the date of framing of charge. If the trial of the petitioner is not concluded within the aforesaid period of one year, the petitioner shall be at liberty to renew his prayer for bail.

(Birendra Prasad Verma, J)

Arvind/-

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