

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.592 of 2015

Arising Out of PS.Case No. -41 Year- 2013 Thana -CHANAN District- LAKHISARAI

Bishwanath Mandal, son of Gulabi Mandal

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar

For the Opposite Party/s : M/s. Anuradha Singh (App)

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 08-01-2015

Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner is in jail custody since 24.08.2013 in a case
registered for the offences punishable under Sections 376, 511 of
the Indian Penal Code and there is specific allegation against the
petitioner that he attempted to commit rape upon the informant.

From perusal of the impugned order of court below,
it would appear that up till now informant has not been examined
before the trial court.

Therefore, in the aforesaid circumstance, I do not
think it proper to release the petitioner on bail and accordingly, his
prayer for bail in connection with Sessions Trial No. 982 of 2013
arising out of Chanan P.S. Case No. 41 of 2013 pending in the
court of 1st Additional Sessions Judge, Lakhisarai stands rejected,

at least, at this stage.

However, petitioner may renew his prayer for bail before the learned trial court after three months from the date of receipt/production of copy of this order, if the prosecutrix is not examined before the trial court within the above stated period.

(Hemant Kumar Srivastava, J)

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