

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1238 of 2015

Arising Out of PS.Case No. -75 Year- 2013 Thana -AMDABAD District- KATIHAR

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Sk. Saheb @ Saheb, Son of Sk. Mangan Khan, Resident of Village -
Bairiya, P.S. Amdabad, District - Katihar.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhola Prasad

For the Opposite Party/s : Mr. S.Dayal, Addl.P.P.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

3 04-03-2015

Heard.

The petitioner seeks bail in a criminal prosecution registered under Sections 376/34 of the Indian Penal Code.

Taking into consideration the fact that in the FIR vide Annexure-1 there is specific allegation of commission of rape against the petitioner and further taking into consideration the fact that now the charge has been framed against the petitioner and session trial is in progress, this Court is not inclined to accede to the prayer made on behalf of the petitioner for grant of bail at this stage. Accordingly, his prayer for bail in connection with Session Trial No.22/14, arising out of Amdabad P.S.Case No.75 of 2013 pending in the court of learned Adhoc Additional Sessions Judge-1st, Katihar is rejected for the present.

However, in view of the fact that the petitioner is in judicial custody since 21.09.2013 and the case was committed to the court of Session in the year 2014 itself giving rise to the Session Trial No.22 of 2014, the learned trial court is directed to expedite the trial of the petitioner and all endeavour shall be made

to conclude the same at an early date preferably within a period of six months from the date of receipt/production of a copy of this order. If the trial of the petitioner is not concluded within the aforesaid period of six months, without there being any fault on the part of the petitioner, then he shall be at liberty to renew his prayer for bail.

(Birendra Prasad Verma, J)

Arvind/-

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