

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42261 of 2014

Arising Out of PS.Case No. -53 Year- 2014 Thana -GOVINDGANJ District-
EASTCHAMPARAN(MOTIHARI)

Madan Prasad, son of Bharat Prasad resident of Village - Areraj, Ward No. 9, P.S. - Govindganj, District - Wast Champaran (Motihari).

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

with

Criminal Miscellaneous No.50562 of 2014

Arising Out of PS.Case No. -53 Year- 2014 Thana -GOVINDGANJ District-
EASTCHAMPARAN(MOTIHARI)

Tabrej Alam son of Asraf Ali resident of village - Areraj, Police Station - Gobindganj, District - East Champaran.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

Appearance :

(In Cr.Misc. No.42261 of 2014)

For the Petitioner : Mr. Jitendra Kumar Shrivastwa, Advocate.

For the Opposite Party : Mr. Subash Chandra Mishra(App)

(In Cr.Misc. No.50562 of 2014)

For the Petitioner : Mr. Manoj Kumar Singh, Advocate.

For the Opposite Party : Mr. Anil Kr. Singh(App)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

5 20-04-2015 Since both the cases have arisen out of one occurrence,

they are being disposed of by this common order.

Heard both sides.

The petitioner seeks bail in Gobindganj P.S. Case No.
53 of 2014, registered for the offences punishable under Sections

376, 328, 120B and other Sections of the Indian Penal Code and Sections 4, 8, 12, 14(2) and 17 of the POSCO Act.

The father of the victim named the petitioners along with other accused persons and alleged that the accused persons committed rape with his daughter and took out photographs. They prepared blue films and circulated the same.

Learned counsel for the petitioners submits that the petitioners are innocent and nothing has been recovered from the possession of the petitioners. The victim made her statement and did not disclose the name of Tabrez the petitioner of Cr. Misc. No. 50562 of 2014.

It appears that there is very specific allegation that the petitioners committed rape with the victim and took photographs. They prepared blue films and circulated the same in the market. From the perusal of para-14 of the case diary, it appears that from the shop of the petitioner laptop, card reader and memory cards etc. were recovered in which obscene photographs and video films were found.

Considering the facts aforesaid, I am not inclined to enlarge the petitioners above named on bail. Accordingly, the same is rejected.

The trial court is directed to expedite the trial and

conclude the same within six months from the date of receipt/production of a copy of this order.

(Prabhat Kumar Jha, J.)

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