

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34779 of 2014

Arising Out of PS.Case No. -74 Year- 2014 Thana -PALIGANJ District- PATNA

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1. Shailendra Singh S/O Late Jang Bahadur Singh Resident of village- State Bank Gali, Paliganj, P.S.- Paliganj, Dist.- Patna (Bihar)

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajit Kumar

For the Opposite Party/s : Mr. M.K.Khare (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 19-01-2015

Heard both sides.

The petitioner seeks bail in Paliganj P.S. Case No. 74 of 2014 registered under sections 366, 376 of the Indian Penal Code.

The informant alleged that the petitioner kidnapped his minor daughter. It is submitted that during the course of investigation victim disclosed that she fled away from the village Ular but the police has stated that the victim was apprehended along with petitioner from village Ular. It appears that the victim in her statement recorded under section 164 has stated that she escaped from Ular. Admittedly the victim is the minor and the petitioner committed rape with her after kidnapping her.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner on bail. Accordingly, the prayer for bail is rejected. The learned Judicial magistrate is directed to commit the case to the court of sessions forthwith and on such commitment, the learned trial court shall make all effort to conclude the trial within one year from the date of framing of charge. If the trial is not concluded within the stipulated period the petitioner may renew his prayer for bail firstly in the trial court.

(Prabhat Kumar Jha, J)

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