

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.36211 of 2014

Arising Out of PS.Case No. -52 Year- 2014 Thana -MAHILA P.S. District- BHAGALPUR

1. Bittu Sah Son of Koko Sah , resident of village Sajour , P.S. Sajour , District - Bhagalpur .

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar

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

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 03-03-2015 Heard both sides.

The petitioner seeks bail in a case under sections 307 and 498A of the I.P.C.

The wife made allegation against the petitioner that he sodomised and thereafter the petitioner inserted stick in her private part. It is also alleged that the petitioner inserted finger in the private part of his two years daughter.

The learned counsel for the petitioner submits that the occurrence is said to have taken place on 19-6-2014 but the F.I.R. was lodged after 21 days. The doctor did not find any injury. The trial has already begun and the informant has been examined and

she has been declared hostile by the prosecution.

Be that as it may, there is very serious allegation against the petitioner and he not only inserted stick in the private part of his wife but also outraged his own minor daughter.

The petitioner has also filed a petition for restitution of conjugal rights.

Hence, I am not inclined to enlarge the petitioner on bail at this stage. The bail application is rejected. The trial court is directed to expedite the trial and conclude the same within six months from the date of receipt of a copy of this order.

(Prabhat Kumar Jha, J)

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