

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7459 of 2015

Arising Out of PS.Case No. -434 Year- 2012 Thana -MOTIHARI TOWN District-
EASTCHAMPARAN(MOTIHARI)

=====

Tunna Kumar son of Subhash Sah, Resident of Village- Baisakhwa, P.S. Kesariya, District East Champaran, at present Resident of Mohalla-Nakchhed Tola, Motihari, P.S. Motihari Town, District East Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Jyotendra Prasad Singh, Advocate
Mr. Sunil Kumar No.III, Advocate

For the Opposite Party/s : Mr. Md.Ansarul Haque, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 11-03-2015 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner seeks bail in connection with Motihari Town P.S. Case No. 434 of 2012 registered *inter alia* under sections 363, 366A and 376 of the Indian Penal Code.

According to the FIR, the daughter of the informant, a minor girl aged about 14 years was abducted by the petitioner and others. On recovery, the victim was examined under section 164 of the Code of Criminal Procedure in which she has categorically stated that she was abducted by the petitioner who ravished her repeatedly under threat and coercion.

Considering gravity of the offence and seriousness of the allegation made against the petitioner, his prayer for bail was earlier rejected by this Court on 22nd January, 2014 in Cr. Misc. No.2746 of 2014. He has renewed his prayer for bail on the ground that there is no progress in the trial and the matter is still pending before the court of Magistrate.

Regard being had to the facts and circumstances of the case, I am not inclined to grant bail to the petitioner even though he is in custody since 19th October, 2012. Accordingly, the prayer for bail is rejected.

The learned Judicial Magistrate, 1st Class, East Champaran, Motihari, before whom the matter is pending, is directed to commit the case of the petitioner to the court of sessions for trial forthwith. The learned Sessions Judge, East Champaran, Motihari, is directed to ensure speedy trial of the case.

(Ashwani Kumar Singh, J)

Md.S./-

U		T	
---	--	---	--