

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43066 of 2015

Arising Out of PS.Case No. -80 Year- 2014 Thana -SANHOLA District- BHAGALPUR

=====

Deepak Kumar son of Sambhu Mandal resident of village- Ghanshyamchak,
P.S.- Sanhola, District- Bhagalpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Swapnil Kumar Singh

For the Opposite Party/s : Mr. Ajay Kr. Jha (App)

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 21-12-2015

Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case instituted under
Sections 366A/34 of the Indian Penal Code.

Allegation against the petitioner is to have kidnapped
minor daughter of the informant.

It has been submitted on behalf of the petitioner that he is
in custody since 8.12.2014. He has got no criminal antecedent.
Chargesheet has been submitted in the present case. There is no
allegation of tampering of evidence against the petitioner. The
case has been committed to the court of sessions. From perusal of
paras-9 and 10 of the case diary it is evident that there was
admitted love affairs between the petitioner and the victim and for
the said reason the victim had eloped with the petitioner.

On behalf of the State, it is submitted that petitioner is
named in the F.I.R. and there is specific allegation made against
the petitioner. Vide order dated 24.11.2015 a report was called for
regarding stage of the case by the court below, same is at flag "A".

From perusal of the said report it appears that one of the prosecution witnesses has already been examined in the case and the trial is in progress.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner, same is rejected.

Any how, the court below, i.e., learned 5th Addl. Sessions Judge, Bhagalpur, is directed to take all necessary steps to conclude the trial in connection with S. T. Case no. 244/15 arising out of Sanhaua P. S. Case no. 80 of 2014 on day to day basis preferably within a period of four months from the date of receipt/production of a copy of this order. The District Magistrate, Bhagalpur, is also directed to ensure that prosecution witnesses are produced before the trial court on the date fixed by it so that the trial may be concluded within the stipulated period.

Let a copy of this order be communicated to the District Magistrate, Bhagalpur.

(Sudhir Singh, J)

sudip/-

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