

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42591 of 2015

Arising Out of PS.Case No. -497 Year- 2015 Thana -MUZAFFARPUR TOWN District-
MUZAFFARPUR

1. Vickky Kumar Son of Kameshwar Prasad Gupta resident of Mathiya Mananpur P.s Kalyanpur District East Champaran (Motihari) at present Bariya, Purani, Motihari Road, Jai Prakash Nagar, Ps. Ahiyapur District Muzaffarpur.

..... Petitioner/s
Versus

1. The State of Bihar

..... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shivendra Kumar Sinha

For the Opposite Party/s : Mr. Shantanu Kumar(App)

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

4 18-12-2015 Sealed cover, sent by Forensic Science Laboratory, Patna, was opened in presence of the parties, in which forensic science report was found.

Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

There is specific allegation against the petitioner that having entered the house of informant, who happens to be a young girl, made attempt to outrage her modesty and when she made protest, she was mercilessly, assaulted by the petitioner by dagger causing several injuries and out of them; 9 injuries are said to be grievous in nature.

Learned counsel, appearing for petitioner submits that the injury report has been issued by a private doctor and as a matter of fact, the informant was entangled with another person who gave dagger blows to informant but unfortunately, petitioner reached there and taking advantage of the aforesaid circumstance, informant implicated the petitioner in the present case. It is further contended by him that no fingerprint of the petitioner was found on the dagger, which is said to have been used in the alleged crime and recovered and so far as another dagger is concerned; the same has not been recovered, as yet.

Considering the aforesaid facts and circumstances of the case as well as submissions of the parties, I am not inclined to release the petitioner on bail and hence, prayer for bail of the petitioner in connection with Muzaffarpur Town P.S. Case No. 497 of 2015 pending in the court of Chief Judicial Magistrate, Muzaffarpur stands rejected.

However, learned trial court is directed to expedite the trial of the petitioner.

Let report of Forensic Science Laboratory be sent to the court concerned in sealed cover.

(Hemant Kumar Srivastava, J)

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