

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.44124 of 2015

Arising Out of PS.Case No. -569 Year- 2014 Thana -BIHTA District- PATNA

Sudhir Kumar, Son of Late Dwarika Mahto, Resident of Village-Kanhauli,
P.S.-Bihta, District-Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Suresh Prasad, Advocate

For the Opposite Party/s : Mr. Ambika Bhagat, Spl. P.P.

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

2 16-09-2015

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

The petitioner seeks bail in Special Case No.
30/2014 arising out of Bihta P.S. Case No. 569 of 2014
registered under Section 376 of the Indian Penal Code and
Section 3(1)(xii), 2(v) of the S.C./S.T. (P.O.A.) Act and Section
4 of the Protection of Children from Sexual Offences Act, 2012.

The prayer for bail of the petitioner was earlier
rejected by this Court vide order dated 27.11.2014 passed in Cr.
Misc. No. 42841 of 2014.

According to the prosecution case, the petitioner

being a school teacher is alleged to have ravished a minor girl aged about 14 years.

It is contended that the medical report does not corroborate the ocular testimony of the prosecutrix. It is further contended that the petitioner is in custody since 11th August, 2014 and the trial is not likely to conclude in near future.

Learned Special Public Prosecutor for the State has vehemently opposed the prayer for bail.

Regard being had to the gravity of the offence, I am not inclined to grant bail to the petitioner. Accordingly, the prayer for bail is rejected.

The trial court is directed to expedite the trial and conclude the same as early as possible.

(Ashwani Kumar Singh, J.)

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