

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2302 of 2015

Arising Out of PS.Case No. -63 Year- 2013 Thana -SAHEBPUR KAMAL District- BEGUSARAI

Lalo Yadav Son of Sri Fultan Yadav, Resident of Vill - Baburahi, P.S.-
Sahebpur Kamal, Distt.- Begusarai

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance:

For the Petitioner/s : Mr. S.N.P. Sinha, Sr. Advocate and
Mr. Vinod Kumar, Advocate.

For the Opposite Party/s : Mr. Akbar Ali (App)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

7 05-08-2015

Heard Sri S.N.P. Sinha, learned senior counsel for the
petitioner, and learned A.P.P. for the State.

The petitioner seeks bail in a case under Section 376
of the Indian Penal Code.

The prayer for bail of the petitioner was earlier
rejected vide order dated 09.05.2014 passed in Cr. Misc. No.
6166/2014. The petitioner is alleged to have committed rape with
a minor girl, aged about 10 years. Sri S.N.P. Sinha, learned senior
counsel for the petitioner, submits that the medical report does not
corroborate the ocular evidence of the prosecutrix about rape. The
garment of the prosecutrix was seized but the same was not sent to
Forensic Laboratory. The prosecutrix, a minor girl, has made
allegation that the petitioner forcibly committed rape with her.

Having considered the facts aforesaid, I am not

inclined to enlarge the petitioner on bail in S. Kamal P.S. Case No. 63 of 2013, corresponding to S. Tr. No. 341/14. Accordingly, the same is rejected.

The trial court is directed to expedite the trial and conclude the same within six months from the date of receipt / production of this order holding the trial on day-to-day basis. The Superintendent of Police, Begusarai is directed to procure the attendance of the witnesses during the course of trial so that the trial of S. Tr. No. 341/14 must be concluded within six months.

Let copy of this order be sent to the learned court below as well as Superintendent of Police, Begusarai for information and needful.

If the trial is not concluded within the above stipulated period, six months, the petitioner may renew his prayer for bail firstly in the trial court itself.

(Prabhat Kumar Jha, J)

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