

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.45664 of 2014**

Arising Out of PS.Case No. -19 Year- 2013 Thana -BETTIAH TOWN District-  
WESTCHAMPARAN(BETTIAH)

=====

Imteyaz Ali Son of Late Iltaf Ali @ Altaf Ali Resident of village-  
Harihansh, Police Station- Hussainganj, District- Siwan

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Milind Kumar Mishra

For the Opposite Party/s : Mr. Shyam Bihari Singh (App)

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

6      29-07-2015                      The petitioner is in custody since 13.4.2013 in  
  
Tr.No.261/14 arising out of Valmiki Nagar P.S.Case N o.19/13 for  
  
the offence under Section 376 (2)(F) of the Indian Penal Code and  
  
3(i(XII) of S.C.S.T.Act.

Heard learned counsel for the petitioner as well as  
  
learned Additional Public Prosecutor for the State.

The prosecution case, in brief, is that when the  
  
informant along with her husband and her 7 years old daughter  
  
had gone to the residence of the petitioner who is constable in  
  
Forest Department in the night of 11.4.2013 for preparing his  
  
supper at his call, he told her to bring vegetable for tomorrow from  
  
the market and she leaving her daughter at his residence went  
  
market along with her husband and when she came back to his

residence she found her daughter weeping and on query her daughter told that the petitioner put her down on the earth and committed bad work.

It has been submitted on behalf of the petitioner that he is in custody since 13.4.2013. His bail application was earlier rejected vide Cr.Misc. No.42623/13 dated 18.2.2014.

From perusal of the report called for from trial court regarding stage of the trial kept at Flag –A it appears that the charge has already been framed on 25.8.2014 but none of the witness has appeared despite processes have been issued against them.

Under the above circumstances, the present application is rejected. Any how the trial court is directed to conclude the trial within a period of six months from the date of production or receipt of a copy of this order, failing which the petitioner, above named, shall be released on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of the 1<sup>st</sup> Additional Sessions Judge-cum-Special Judge, West Champaran at Bettiah, in Balmiki Nagar P.S. Case No.19/13.

**(Sudhir Singh, J)**

AnilKrSinha/-

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