

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7419 of 2015

Arising Out of PS.Case No. -222 Year- 2014 Thana –SONBARSA RAJ
District- SAHARSA

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Lalo Sharma Son of Aklu Sharma Resident of village- Bhada, Police
Station- Sonbarsa Raj, District- Saharsa

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar, Adv.

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary-1, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

6 09-04-2015 Heard both sides.

The petitioner seeks bail in Sonbarsa Raj P.S. Case No.
222 of 2014, registered for the offences punishable under Section
376 and other Sections of the Indian Penal Code.

The prosecutrix made allegation against the petitioner
that while she was returning along with her minor sons, the
petitioner and one unknown person at the point of pistol
committed rape with her.

It is submitted that the petitioner happens to be brother-
in-law of the victim. The occurrence is said to have taken place on
6.10.2014, but the complaint petition was filed on 9.10.2014.
There is inordinate delay in filing the case.

It appears that besides the complainant, her two minor

sons have very categorically stated that during the course of investigation the petitioner committed rape with their mother.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner on bail. Accordingly, the same is rejected.

The trial court is directed to expedite the trial and conclude the same within nine months from the date of receipt of this order. If the trial is not concluded within the stipulated period, the petitioner if so advised, may renew his prayer for bail.

(Prabhat Kumar Jha, J.)

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