

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15664 of 2015

Arising Out of PS.Case No. -337 Year- 2014 Thana -DIGHA District- PATNA

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Nagina Chaudhary S/o Keshwar Chaudhary R/o Village- Digha Nahar Par,
P.S -Digha District- Patna

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Rakesh Kumar, Advocate

For the Opposite Party: Mr. Satyaverat Verma, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 08-06-2015 The petitioner is languishing in custody since

28.12.2014 in connection with Digha P.S. Case no. 337 of 2014

for the offences instituted under Section 376 (2) (f) read with

Section 34 of the Indian Penal Code and Sections 4 and 6 of the

POCSO Act.

Heard learned counsel for the petitioner and learned
counsel for the State.

The prosecution story, in brief, is that on 20.12.2014
at about 5 A.M. accused including the petitioner forcibly took the
daughter of the informant at brick kiln on the bank of river Ganga
where they committed gang rape upon her. On the same day at
about 3.00 P.M., the informant was informed by her neighbour
about the said occurrence.

It has been submitted on behalf of the petitioner that

the petitioner has been falsely implicated in the present case. Further it has been submitted that the petitioner has got no criminal antecedent and he is in custody since 28.12.2014.

It has been submitted on behalf of the State that a statement under Section 164 of the Code of Criminal Procedure has been recorded where she has supported the allegation of commission of rape against the petitioner.

Considering the aforesaid facts and circumstances of the case, I am not inclined to grant bail to the petitioner. The same is rejected. The learned trial court is directed to expedite the trial and conclude the same within a period of one year.

(Sudhir Singh, J)

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