

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29474 of 2015

Arising Out of PS.Case No. -56 Year- 2014 Thana -CHARIABARIYARPUR District-
BEGUSARAI

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1. Rajeev Sahni Son of Deepak Sahni resident of village- Khanjhapur,
P.S.- Cheriya Bariarpur, District- Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Yogesh Kumar

For the Opposite Party/s : Mr. Ram Shankar Das(Spl.App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

3 29-10-2015 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Cheriya
Bariarpur P.S. Case No. 56 of 2014 registered for the offence
punishable under Section 376 of the Indian Penal Code and
Sections 3(i) (xii) of SC/ST (Prevention of Atrocities) Act.

Allegedly, the petitioner after entering into the house
of the informant and finding her alone committed rape forcibly
with her and on alarm being raised the witnesses came there, then
the petitioner fled away.

Submission is of false implication and that the doctor
has found no sign of rape and the petitioner is suffering in custody

since 23.03.2014 and up till now two witnesses have been examined and there is no likelihood of early conclusion of trial.

Learned APP opposes the prayer of bail by submitting that the victim in her statement recorded under Section 164 Cr.P.C. has supported the allegation and further other witnesses have also supported the allegation which is evident from the impugned order itself.

In the facts and circumstances stated above and considering the allegation attributed against the petitioner serious in nature, this Court is not inclined to enlarge the petitioner on bail, accordingly, his such prayer stands rejected.

However, the trial court is directed to expedite the trial and conclude the same as per the amended proviso of Section 309 Cr.P.C.

(Jitendra Mohan Sharma, J)

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