

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11934 of 2015

Arising Out of PS.Case No. -64 Year- 2014 Thana -RUPASPUR District- PATNA

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Raja Sahni @ Gunja aged about 24 years S/o Ram Sevak Sahni, resident of
Village Baluahi Bux Stand, P.S. & District Khagaria.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Pathak, Advocate

For the Opposite Party/s : Mr. Anil Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

3 26-05-2015

When this matter has been taken up for consideration,
a supplementary affidavit is being filed on behalf of the petitioner,
which is taken on the record.

Heard the parties.

The petitioner seeks bail in a criminal prosecution
registered under Sections 363 and 366A of the Indian Penal Code.

Though the petitioner is not named in the first
information report vide Annexure-1 as an accused, but
subsequently, the victim girl was recovered and her statement was
recorded under Section 164 of the Code of Criminal Procedure,
1973 which has been brought on the record as Annexure-2 to the
supplementary affidavit filed on behalf of the petitioner wherein
she has disclosed her age to be 14 years and has fully supported
the prosecution version about her kidnapping by the petitioner and
that she was kept in confinement by this petitioner for about one
month.

In view of the aforesaid materials, this Court is not
inclined to accede to the prayer for bail made on behalf of the

petitioner at this stage. Accordingly, his prayer for bail in connection with Rupaspur P.S.Case No. 64 of 2014 pending in the court of learned Judicial Magistrate, Danapur, District Patna is rejected.

Learned Magistrate, who is in seisin of the case, is directed to commit the case of the petitioner to the court of session forthwith, if not already committed and after such commitment, the trial of the petitioner shall be taken up on priority basis. However, if the trial of the petitioner is not concluded within nine months from the date of framing of charge, then the petitioner shall be at liberty to renew his prayer for bail.

(Birendra Prasad Verma, J)

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