

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.15318 of 2016

Arising Out of PS.Case No. -196 Year- 2015 Thana -ATRI District- GAYA

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1. Prasad Chaudhari S/o Shamu Chaudhari resident of village - Upathu, P.S. Atari, District - Gaya..... Petitioner

Versus

1. The State of Bihar. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Vinod Kumar

For the Opposite Party/s : Mr. Harendra Prasad (App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

3 20-05-2016 Heard learned counsel for the petitioner and learned APP for the Sate.

The petitioner seeks bail in connection with Atari P.S. Case No. 196 of 2015 registered for the offence punishable under Section 363 of the Indian Penal Code.

Allegedly, Suman Devi the wife of the informant and one and half years daughter Priti Kumari became traceless. During investigation statement of the victim Suman Devi was recorded wherein she has stated regarding hand of the petitioner also in her kidnapping and further that the petitioner committed rape with her at the point of gun and one Chandan also committed rape with her.

Submission is of false implication and that the victim has not been examined by the doctor, without any fault the petitioner is suffering in custody since 01.02.2016, for the same occurrence Atari P.S. Case No. 208 of 2015 was registered

wherein the petitioner has been released on bail.

Learned APP opposes the prayer of bail by submitting that against the petitioner there is allegation for committing rape also.

In the facts and circumstances stated above, considering the statement of the victim Suman Devi, this Court is not inclined to enlarge the petitioner on bail, accordingly, his such prayer stands rejected.

However, let the trial be expedited and concluded as per the amended proviso of Section 309 of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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