

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14706 of 2016

Arising Out of PS.Case No. -19 Year- 2015 Thana -KORHA District- KATIHAR

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Md. Siraj Son of Late Amoli Shah Resident of village - Nakkipur Simariya,
Karmu Tola, P.S. Korha, District - Katihar

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Md. Musowir, Advocate.

For the Opposite Party : Mr. Arun Kumar Pandey (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 07-09-2016 Heard both sides.

The petitioner seeks bail in Sessions Trial No. 206 of 2015, arising out of Korha P.S. Case No. 19 of 2015, registered for the offence punishable under Section 376 (D) of the Indian Penal Code.

The petitioner and Sahabuddin @ Panchu are alleged to have committed rape with the victim one by one. Prayer for bail of the petitioner was earlier rejected vide order dated 10.09.2015 passed in Cr. Misc. No. 21845 of 2015 with a direction to the trial court to conclude the trial within one year but the trial has not yet been concluded.

It appears that one year has not yet been elapsed. The report was called for and the Additional Sessions Judge, II,

Katihar reported that three witnesses including the victim have already been examined out of eight charge sheet witnesses and the trial is likely to be concluded very soon.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner above named on bail in Sessions Trial No. 206 of 2015, arising out of Korha P.S. Case No. 19 of 2015, pending in the court of Additional Sessions Judge, II, Katihar. Accordingly, the same is rejected.

However, the trial court is directed to hold the trial on day to day basis and conclude the trial within six months from the date of receipt of this order.

The S.P., Katihar is directed to ensure the attendance of remaining witnesses so that the trial must be concluded positively within six months.

(Prabhat Kumar Jha, J.)

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