

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30134 of 2016

Arising Out of PS.Case No. -262 Year- 2015 Thana -KATIHAR District- KATIHAR

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Ashok Kumar Das, son of Late Baid Nath Das @ Baijnath Das, Resident of Mohalla- Mofarganj, Dhalaighar, Police Station- Katihar Town, District- Katihar.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Awadhesh Kumar Mishra, Advocate

For the Opposite Party : Mr. Sri Gopesh Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 27-07-2016 Heard learned counsel for the petitioner and learned A.P.P. representing the State.

Petitioner seeks bail in connection with Katihar Town P.S. case no. 262/2015 registered for the offence punishable under Sections 363, 366(A) of the Indian Penal Code.

Petitioner wants to renew the prayer for bail which was earlier rejected by order dated 08.01.2016 passed in Cr. Misc. no. 45996 of 2015 on the ground that F.I.R. has been lodged after much delay, the doctor has found no sign of injury on the person of the victim and further no spermatozoa was found in pathological examination and the petitioner is suffering in custody since 05.05.2015 and in near future, the trial is not likely to be

concluded.

The learned A.P.P. opposes the prayer of bail by submitting that the victim was used in sexual intercourse.

In the facts and circumstances stated above, at present I am not inclined to reconsider the prayer of bail of the petitioner and accordingly his such prayer stands rejected.

However, let the trial be expedited and concluded as early as possible, preferably within three months on priority basis from the date of receipt/ production of a copy of this order. The steps must be taken to examine the victim at first and if the trial is not concluded the petitioner, if at any fault, may be at liberty to renew his prayer for bail.

(Jitendra Mohan Sharma, J.)

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