

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 34275 of 2016

Arising Out of PS.Case No. -241 Year- 2015 Thana -POTHIYA District- KISANGANJ

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Alauddin @ Md. Alauddin Alam, Son of Gulam Mustafa @ Marwakhua
Resident of village - Udgara, P.S. - Pothiya in the District of Kishanganj.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Shambhu Sharan Sharma, Advocate

For the Opposite Party : Mr. Sri Ram Bilash Roy Raman (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 31-08-2016 Heard learned counsel for the petitioner and the

learned A.P.P. representing the State.

The petitioner wants to renew the prayer of bail which was earlier rejected by order dated 31.03.2016 passed in Cri. Misc. No. 5275 of 2016, on the ground that the petitioner is in custody since 30.11.2015 and trial has not been concluded as yet and in near future the trial is not likely to be concluded. Three prosecution witnesses have been examined and all have not supported the prosecution version, to which the learned A.P.P opposes by submitting that the informant and another important witnesses are yet to be examined and the trial is going on against the petitioner. There is serious allegation as he has committed rape forcibly with the informant and thereafter assured

to marry with her.

In the facts and circumstances stated above, finding no good ground for reconsideration of prayer of bail, again the prayer for bail of the petitioner stands rejected in connection with Pothiya P.S. Case No. 241 of 2015 pending in the court of learned Chief Judicial Magistrate, Kishanganj.

However, the learned trial court is directed to expedite the trial and conclude the same preferably within three months after keeping the same on day to day basis, failing which if the petitioner at no fault, may be at liberty to renew his prayer for bail.

(Jitendra Mohan Sharma, J.)

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