

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No. 37670 of 2016

Arising out of P.S. Case No. - 64 Year - 2015 Thana - SOHSARAI District - NALANDA
(BIHARSHARIFF)

Vicky Paswan, S/o Surajbhan Paswan, Resident of Mohalla - Gallapatti,
Police Station - Sohsarai, District - Nalanda

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Rana Baljit Singh, Advocate

For the Opposite Party : Mr. Jagdhar Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 14-09-2016

Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State.

The petitioner wants to renew the prayer of bail which was earlier rejected by order dated 12.01.2016 passed in Cr. Misc. No. 41742 of 2015 on the ground that the petitioner is suffering in custody since 27.04.2015. Medical evidence does not support the allegation as alleged and further the victim has been found aged between 17-18 years. The victim girl under pressure has changed her statement under Section 164 of the Code of Criminal Procedure resulting the petitioner is in custody to which the learned A.P.P. seriously opposes.

In the facts and circumstances stated above, considering that the victim girl, in her statement recorded under Section 164 of the Code of Criminal Procedure, has alleged

regarding her kidnapping and further that the petitioner used to commit rape with her during captivity and, as such, finding no good reason for reconsideration of prayer for bail, again the prayer of bail of the petitioner stands rejected in connection with Sohsarai P.S. Case No. 64 of 2015 pending in the court of learned Chief Judicial Magistrate, Nalanda at Biharsharif.

However, the learned trial court is directed to conclude the trial within six months after keeping the same on priority basis, failing which the petitioner if at no fault may renew his prayer for bail.

(Jitendra Mohan Sharma, J.)

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