

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44320 of 2016

Arising Out of PS.Case No. -48 Year- 2016 Thana -MARHAURA District- SARAN

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1. Santosh Kumar Gandhi, Son of Late Ram Surat Sah, Resident of Village-
Kharauni, Police Station- Marhourha, District- Saran (Chapra).

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Mishra

For the Opposite Party/s : Smt. Rita Verma

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

04/ 19.12.2016 Heard learned counsel for the petitioner as well as learned
Addl. Public Prosecutor for the State.

Petitioner seeks bail in a case registered under sections
376(D) and 377 of the Indian Penal Code.

Petitioner is named in the first information report with
allegation that he along with other accused committed rape on the
informant. Co- accused was caught on the spot by the villagers
whereas the petitioner is said to have managed to escape from the
place of occurrence. However, apprehended co- accused disclosed the
name of the petitioner as his associate. Informant also claims that both
accused were taking their names at the time of alleged occurrence.

Considering the aforesaid facts and circumstances as well as
submissions of the parties and also taking note of seriousness of the
offence, I am not inclined to release the petitioner on bail and hence,
his prayer for bail in connection with Sessions Trial no. 358/2016



arising out of Marhaura P.S. Case no. 48/2016 pending in the court of
Addl. Sessions Judge V, Saran at Chapra stands rejected.

However, the learned trial court is directed to expedite the
trial of the petitioner and conclude the same as early as possible.

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(Hemant Kumar Srivastava,J)

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