

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2062 of 2016

Arising Out of PS.Case No. -104 Year- 2015 Thana -BARSOI District- KATIHAR

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1. Chandan Kumar Sharma @ Chandan Sharma son of Gohalu Sharma
resident of village Maulanapur, P.S. Barsoi, District- Katihar

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh

For the Opposite Party/s : Mr. Nitya Nand Tiwary (App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 22-01-2016 Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor for the State.

There is specific allegation of rape against the petitioner
and the victim has supported the aforesaid allegation in her
statement recorded under section 164 of the Cr.P.C.

Although learned counsel appearing for the petitioner
submits that this case has been lodged on account of previous
dispute and enmity and the victim has already compromised this
case but I do not feel it proper to release the petitioner on bail
and accordingly, his prayer for bail in connection with Barsoi
P.S.Case No. 104 of 2015, pending in the court of Chief Judicial
Magistrate, Katihar stands rejected.

However, the learned Chief Judicial Magistrate,

Katihar/ concerned court is directed to commit the case of the petitioner to the court of sessions within two weeks in accordance with law after receipt/production of a copy of this order and after commitment of the case, the concerned court shall expedite the trial of the petitioner and try to conclude the same as early as possible, preferably, within four months from the date of commitment of the case.

It is made clear that if the trial of the petitioner is not concluded within the above stated period, petitioner may renew his prayer for bail before the trial court.

(Hemant Kumar Srivastava, J)

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