

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4151 of 2016

Arising Out of PS.Case No. -202 Year- 2014 Thana -MAHILA P.S. District- SIWAN

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1. Anup Kumar Srivastav, Son of Jitendra Srivastav
2. Sandeep Kumar Srivastav, Son of Jitendra SRivastav Both Resident of
village Harkhua, P.O. & P.S. Gopalganj, District - Gopalganj

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Naresh Prasad, Advocate.

For the Opposite Party : Ms. Pushpa Sinha 2 (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 30-06-2016 Heard both sides.

The petitioners apprehend their arrest in Siwan (Sadar) Mahila P.S. Case No. 202 of 2014 registered for the offences punishable under Sections 328, 366, 376(D) and 34 of the Indian Penal Code.

The prayer for bail of the petitioner was earlier rejected vide order dated 06.02.2015 passed in Cr. Misc. No. 41912 of 2014. The trial court was directed to expedite the trial and conclude the same within nine months. On the request of the trial court the period of concluding the trial has already been extended for two months. During the pendency of this bail petition, the petitioner has filed supplementary affidavit seeking provisional bail on the ground of marriage of their sister.

It is submitted that the petitioners are only two brothers and there is none in the house. Mother and father are old. It appears that the parents of the girl made and all arrangements for marriage of their daughter.

The petitioners are accused in a heinous case of gang rape and the trial is at fag end. Considering the facts aforesaid, I do not feel inclined to enlarge the petitioners above named on provisional bail in Siwan (Sadar) Mahila P.S. Case No. 202 of 2014, pending in the court of the learned Ad hoc Additional Sessions Judge 1st, Siwan.

Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

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