

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32040 of 2015

Arising Out of PS.Case No. -40 Year- 2013 Thana -GHORASAHAN District-
EASTCHAMPARAN(MOTIHARI)

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Sagir Alam @ Mohammad Sagir @ Sagir Mian Son of Tahir Mansuri of
Village- Madhopur, P.S. Chiraiya, District East Champaran.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anuj Kumar

For the Opposite Party/s : Mr. M.Dayal (APP)

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

5 03-02-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

In this case, the petitioner is seeking bail with respect
to Ghorasahan P.S. Case No. 40 of 2013 registered for offences
under sections 363, 364/34 of the Indian Penal Code, but the
charge has been framed under section 366A I.P.C.

Earlier this Court had examined the matter and
rejected the bail of the petitioner looking to the attending facts,
circumstances and the nature of allegation made by the lady
inasmuch as and on the last date, this Court had also directed for
conclusion of the trial within nine months.

As per the report of the lower Court, suggests, the
action has been taken for appearance of the witnesses, but without

any success.

Looking to the nature of allegation, this Court is not inclined to grant bail to the petitioner at present. Accordingly, this petition is dismissed. However, the court below is directed, he must ensure the conclusion of the trial within a period of six months from the date of receipt or production of a copy of this order. If it is not done by the aforesaid period, the court below must assign the reason for non-completion of the trial.

The Senior Superintendent of Police, Motihari is also directed that he must ensure the production of the witnesses, otherwise it will be treated to be a contempt of Court and the necessary action will be taken against the official who is found negligent for non-production of the witnesses.

This order be communicated to the Senior Superintendent of Police, Motihari, East Champaran for its compliance forthwith.

(Shivaji Pandey, J)

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