

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47639 of 2016

Arising Out of PS.Case No. -262 Year- 2013 Thana -ROSERA District- SAMASTIPUR

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Harikishun Sada, son of Yogeshwar Sada, resident of village Sisai, P.S.
Hathauri, Samastipur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vinay Ranjan

For the Opposite Party/s : Mr. Sri Mithilesh Kumar Khare

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR

MANDAL

ORAL ORDER

2 09-11-2016 Heard the counsel for the petitioner and the learned APP
for the State.

The petitioner is languishing in jail since 24.11.2013 on being accused of having committed rape on 6-7-year-old daughter of the informant and subsequently causing her death.

The contention of the petitioner is that since last one-and-a-half years, the prosecution has failed to examine any witness at the trial which is going on since 2014.

Considering the seriousness of the allegation and other materials reflected from the records including the order of the learned Sessions Judge, I am not inclined to direct release of the petitioner. His prayer for bail is rejected.

However, considering the fact that the petitioner is in custody since 24.11.2013, this Court grants him liberty to renew

his prayer for bail in the court below itself if the trial does not conclude within six months from the date of receipt/production of a copy of this order.

(Kishore Kumar Mandal, J)

HR/-

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