

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14917 of 2016

Arising Out of PS.Case No. -329 Year- 2014 Thana -RAHUI District- NALANDA
(BIHARSHARIFF)

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Vicky Kumar @ Chohan son of Satyendra Singh, resident of village-
Dekpura, Police Station- Rahui, District- Nalanda at Biharsharif.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh, Advocate

For the Opposite Party/s : Mr. S.D.Singh Yadav, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

3 27-04-2016 Heard learned counsel for the petitioner and

learned counsel for the State.

The petitioner has renewed his prayer for bail in
connection with Sessions Trial No. 215 of 2015, arising out of
Rahui P. S. Case No. 329 of 2014.

The FIR was initially registered under Section
366 A of the Indian Penal Code. However, charges have been
framed under Sections 366 A and 376/34 of the Indian Penal
Code and Section 4 of the Protection of Children from Sexual
Offences Act, 2012. The prayer for bail of the petitioner was
earlier rejected by this Court vide order dated 30.01.2016
passed in Cr. Misc. No. 52665 of 2015. The status report of
the trial court would reflect that the trial is going on and one

witness has already been examined during trial on 19.01.2016.

According to the prosecution case, the daughter of the informant aged about 14 years was forcibly abducted by the petitioner and the victim, in her statement recorded under Section 164 of the Code of Criminal Procedure, has stated that she was confined in a room at Ranchi where the petitioner and one another repeatedly raped her.

Regard being had to the nature of accusation, I am not inclined to grant bail to the petitioner, even though he is in custody since 12.01.2015. Accordingly, his prayer for bail is rejected.

However, the trial court is directed to proceed with the trial on day-to-day basis and conclude the same as early as possible, preferably within a period of one year from the date of receipt/production of a copy of this order, failing which the petitioner would be at liberty to renew his prayer for bail in the court below itself. In that event, the trial court must assign reason as to why the trial could not be concluded within the stipulated period while disposing of the application.

(Ashwani Kumar Singh, J.)

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