

Arising Out of PS.Case No. -58 Year- 2015 Thana -RAJPUR District-
EASTCHAMPARAN(MOTIHARI)

.... Petitioner/s

1. The State of Bihar

.... Opposite Party/s

For the Petitioner/s : Mr. Sanjay Kumar
For the Opposite Party/s : Mr. B. N. Pandey, APP

It is contended by the learned counsel for the petitioner that there is no truth behind the allegation made in the first information report. The petitioner has been implicated in the present case due to local politics. It is further contended that the villagers had mistakenly caught hold of the petitioner and brutally assaulted him without any reason. The victim was not examined by any Doctor and the entire allegation is based merely on ocular

evidence made by the informant.

Learned counsel for the State has vehemently opposed the prayer for bail. He has contended that the petitioner had tried to commit rape upon the minor girl aged about 8 years.

Be that as it may, regard being had to the gravity of the offence and the serious nature of allegation made against the petitioner, I am not inclined to grant bail to the petitioner.

Accordingly, the prayer for bail is rejected.

The learned Sub-divisional Judicial Magistrate, Sikrahna at Motihari is directed to commit the case of the petitioner to the court of Session for trial forthwith. Once the case is committed to the court of Session, the trial Judge shall frame the charge and proceed with the trial expeditiously. If the trial is not concluded within nine months from the date of framing of charge, the petitioner would be at liberty to renew his prayer for bail in the court below itself and in that circumstance the court below, while disposing of the bail petition of the petitioner, must assign reason as to why the trial could not be completed within the stipulated period.

Amin/-

(Ashwani Kumar Singh, J)

U			
---	--	--	--