

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.13434 of 2016

Arising out of PS.Case No. -86 Year- 2013 Thana -FALKA District- KATIHAR

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Alok @ Lokhwa Yadav @ Alok Kumar Yadav, Son of Chano Yadav @ Chandeshwari Yadav, resident of Village - Bajraha, P.S. - Dhamdaha, District - Purnia.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Akhileshwar Pd. Singh, Sr. Advocate.

For the Opposite Party : Mr. Nagendra Pd.(App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

5 26-08-2016 Heard learned senior counsel for the petitioner and

learned counsel for the State.

The petitioner is languishing in custody since 06.05.2013 in connection with Sessions Trial No. 530 of 2013, arising out of Falka P.S. Case No. 86 of 2013 for the offences instituted under Sections 302 and 376/34 of the IPC.

The prosecution story, in brief, is that the victim girl alongwith her two brothers went to the field of the accused to cut grass. On seeing the accused both the brothers fled away but the victim girl was caught. She was taken at the corner of the field where the accused persons including the petitioner committed rape. Subsequently, in course of treatment, the victim girl died.

Earlier bail application of the petitioner was rejected vide Cr. Misc. No. 47407 of 2013 dated 11.04.2014. This is second attempt on behalf of the petitioner for grant of bail.

A report was called for regarding the stage of the case from the court below. The same is kept at Flag-‘C’. In the report, it has been indicated that the trial is expected to be concluded within two months.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner. The same is rejected in Sessions Trial No. 530 of 2013, arising out of Falka P.S. Case No. 86 of 2013, pending in the court of the learned Additional District & Sessions Judge-1st, Katihar. Anyhow, the court below is directed to take all necessary steps to conclude the trial preferably within a period of three months from the date of receipt/production of copy of the order.

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(Sudhir Singh, J)