

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49596 of 2015

Arising Out of PS.Case No. -161 Year- 2011 Thana -KOTWALI District- PATNA

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Tinku Kumar @ Tempoo Chalak son of late Raj Kumar resident of Kankarbagh, Beside Dr. R.N. Singh, P.C. Colony, P.S. Kankarbagh, Distt Patna.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Mithilesh Kumar, Advocate.

For the Opposite Party : Mr. Kumar Virendra Narayan (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 04-05-2016 Heard both sides.

The petitioner has renewed his prayer for bail in Sessions Trial No. 1374 of 2013, arising out of Kotwali P.S. Case No. 161 of 2011, registered for the offences punishable under Sections 376(2)G and 120B of the Indian Penal Code. Prayer for bail of the petitioner was earlier rejected vide order dated 11.03.2015 in Cr. Misc. No. 4883 of 2015. The case relates to gang rape.

It is submitted that the petitioner renewed his prayer for bail on the ground that four other accused persons who were facing trial in the present case have already been acquitted due to paucity of evidence and in the case of the petitioner only one witness has been examined as yet.

Considering the nature of allegation made against the petitioner, I am not inclined to enlarge the petitioner above named on bail. Accordingly, the same is rejected.

However, the learned Additional Sessions Judge VI, Patna is directed to conclude the trial within six months from the date of receipt of this order, holding the trial on day-to-day basis and if the trial is not concluded within the stipulated period the petitioner may renew his prayer for bail before the court below.

(Prabhat Kumar Jha, J.)

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