

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18408 of 2016

Arising Out of PS.Case No. -196 Year- 2014 Thana -MASAURHI District- PATNA

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Chandeshwar Singh S/o Sarva Nand Singh, resident of Village- Tulshichak,
P.S. Masaurhi, District- Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uday Kumar Singh, Adv.

For the Opposite Party/s : Mr. Ram Shankar Das (Spl.App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

2 07-09-2016 Heard both sides.

The petitioner seeks bail in Special Case No. 128/2014 arising out of Masaurhi P.S. Case No. 196/2014, registered for the offences punishable under Section 376 of the Indian Penal Code and Sections 3(III), (XI), (XII) of the S.C./S.T. Act and Section 3(E), 4 of POCSO Act.

The prayer for bail of the petitioner was earlier rejected vide order dated 31.03.2015 with a direction to the trial court to expedite the trial and conclude the same within one year.

It is submitted that the trial has not yet been concluded. The petitioner is alleged to have committed rape with the minor girl aged about twelve years.

Considering the facts aforesaid and the nature of

allegation made against the petitioner, I am not inclined to enlarge the petitioner on bail. Accordingly, the same is rejected.

The trial court is directed to expedite the trial and hold the same on day-to-day basis and conclude the same within six months from the date of receipt of this order, as the accused is in custody for the last two years.

The Senior Superintendent of Police, Patna is directed to ensure the attendance of prosecution witnesses of Special Case no. 128/2014 arising out of Masaurhi P.S. Case No. 196/2014, so that the trial must be concluded within six months.

Let a copy of this order be sent to the Additional District & Sessions Judge Ist, Patna and S.S.P, Patna for information and needful.

(Prabhat Kumar Jha, J.)

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