

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6789 of 2016

Arising Out of PS.Case No. -164 Year- 2012 Thana -RAHIKA District- MADHUBANI

=====

Ranjeet Mandal @ Ranjeet Kumar Mandal son of Sri Permeshwar Mandal,
resident of village- Nahas, P.S.- Patauna (Bisafi), District- Madhubani.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Yogesh Chandra Verma, Sr. Advocate
: Mr. Anuj Kumar, Advocate
For the Opposite Party/s : Mr. L.K.Sharma, APP

=====

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 03-03-2016 The petitioner has renewed his prayer for bail in connection with Sessions Trial No. 39 of 2015 arising out of Rahika P.S. Case No.164 of 2012 registered under sections 363, 366A, 372, 120B/34 of the Indian Penal Code.

The prayer for bail of the petitioner was earlier rejected by this Court vide order dated 3.3.2015 passed in Cr. Misc. No.51590 of 2014.

It has been contended by Mr. Yogesh Chandra Verma, learned senior counsel for the petitioner, that it was a case in which the victim, who is a major girl, had eloped with the petitioner out of her own sweet will, but subsequently, under the pressure of her parents, she has made tutored statement before the



learned Magistrate under section 164 of the Code of Criminal Procedure in which she has alleged that she was kidnapped and sexually abused by the petitioner. It is further contended that though the petitioner is in custody since 12th August, 2014, the trial has not been commenced. Recently, on 24th February, 2016, charges have been framed and there is no likelihood of conclusion of trial in near future.

Learned counsel for the State has opposed the application for grant of bail to the petitioner. He has contended that the victim has categorically alleged in her statement under section 164 of the CrPC that she was bodily lifted by the petitioner and others and was taken to Ranchi where the petitioner had committed rape upon her.

Regard being had to the facts and circumstances of the case, I see no reason to take a different view of the matter for the present. Accordingly, the prayer for bail is rejected.

The learned 1st Additional Sessions Judge, Madhubani, before whom the matter is pending, is directed to hold the trial on day-to-day basis and conclude the same as early as possible preferably within nine months 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 before the court below itself

and in that eventuality while disposing of the bail application of the petitioner, the trial court shall be obliged to record reasons as to why the trial could not be concluded within the stipulated period.

(Ashwani Kumar Singh, J)

Md.S./-

U		T	
---	--	---	--