

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19155 of 2017

Arising Out of PS.Case No. -9 Year- 2016 Thana -MAHARAJGANJ District- SIWAN

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1. Anil Prasad Son of Rupdeo Prasad, Resident of village - Ramapali, Police Station - Maharajganj, District - Siwan

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Kumar Mishra

For the Opposite Party/s : Mr. Sri Ashok Kumar

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 15-05-2017 Heard both sides.

The petitioner seeks bail in Maharajganj P.S. case No. 09/2016 under Section 366/34 of the Indian Penal Code. Later on the police after investigation submitted charge sheet under Section 366/34, 376D of the IPC.

The father of the victim alleged that his daughter was kidnapped by the petitioner and others while she had gone to bring milk.

The learned counsel for the petitioner submits that the occurrence took place on 11.12.2015 but the FIR was lodged on 15.01.2016, after 36 days of the occurrence. Earlier the informant filed a complaint case with regard to land dispute and the present case is filed with a view to settle the score and took



revenge from the petitioner and others but from perusal of the records, it appears that victim made her statement under Section 164 of the Cr. P. C. and she vividly disclosed that petitioner and others kidnapped her and made her senseless and they continued to commit rape with her. She became pregnant on account of rape.

Considering 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 conclude the same within nine months from the date of receipt of this order.

The Superintendent of Police, Siwan is directed to ensure the attendance of prosecution witnesses of Maharajganj P.S. case No. 09 of 2016, corresponding to Sessions Trial No. 20 of 2017, in the court of learned 3rd Additional Sessions Judge, Siwan so that the trial must be concluded within nine months.

Let a copy of this order be sent to learned trial court as well as Superintend of Police, Siwan for information and needful.

(Prabhat Kumar Jha, J)

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