

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10771 of 2017

Arising Out of PS.Case No. -236 Year- 2015 Thana -NAWANGAR District- BUXAR

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Sadam Idarishi @ Sadam Indrishi @ Sadam Husain, Son of Janat Indrishi,
R/o Village- Babhani Pahari, P.S.- Karahagar, District- Rohtas.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mohit Srivastava

For the Opposite Party/s : Mr. Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

4 12-04-2017 Heard Sri Mohit Srivastava, learned counsel for the

petitioner and Sri Binay Krishna, learned Special Public

Prosecutor.

This is second attempt for grant of bail on behalf of the
petitioner in Nawanagar P.S. Case No. 236 of 2015 / G.R. No.
3318 of 2015 corresponding to Sessions Trial No. 139 of 2016
registered for the offence under Section 366(A)/ 34 of the Indian
Penal Code and charge sheet submitted under Section 366, 344,
346, 376/ 34 of the Indian Penal Code, Section 5 (1)(c)(D) of the
Immoral Traffic (Prevention) Act , 1956 and Section 3 (1) (xi) of
the Scheduled Castes and the Scheduled Tribes (Prevention of
Atrocities) Act, 1989.

Sri Mohit Srivastava, learned counsel for the petitioner



tried to persuade the court that there is no material against the petitioner. Even the victim was a major lady and during her medical examination no sign of rape was found. However, he accepts that after submission of charge sheet case was committed to the court of Sessions and charges have already been framed. Learned Special Public Prosecutor has opposed the prayer and submits that on merit his prayer for bail was rejected only on 13.7.2016 vide Cr. Misc. No. 26867 of 2016 and as such, there is no point to entertain the argument on merit of the case

Considering the fact that on merit prayer for bail of the petitioner was rejected and the fact that after commitment, as stated by learned counsel for the petitioner charge has already been framed, there is no reason to renew my earlier order. Prayer for bail again stands rejected. However, considering the fact that petitioner is in custody, while dismissing it is desirable to observe that the learned trial court as well as prosecution may take steps for early disposal of the case.

(Rakesh Kumar, J)

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