

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.32709 of 2017

Arising Out of PS.Case No. -62 Year- 2016 Thana -MADHUBANI TOWN District- MADHUBANI
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Anil Kumar Son of Kishore Prasad @ Kishori Prasad, Resident of Village-
Maruabad, P.S.- Nalanda, District- Nalanda.

..... Petitioner

Versus

The State of Bihar

..... Opposite Party

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Appearance :

For the Petitioner : Mr. Premchandra Yadav, Advocate.
For the Opposite Party : Mr. Mithilesh Kumar Khare, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 20-09-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody since
30.07.2016 in a case registered for the offence under Sections 328,
307, 363, 376(D)/34 of the IPC and 4 of the POCSO Act.

The prosecution story, in brief, is that on 27.02.2016
the petitioner and two unknown persons came at the house of the
informant and sprinkled some medicine on her face thereafter she
became senseless. Thereafter they took away her and what was
committed by accused persons, she did not know. Thereafter, she
was found in a field of Mansur where she was naked. Thereafter
she was taken to hospital for treatment. In the morning, while the
victim was doing Urine then she saw that blood was oozing from



her private part. She also claimed that accused persons committed rape upon her and one mobile of this petitioner fallen there.

Earlier the bail application of the petitioner was rejected vide Cr. Misc. No. 50531 of 2016 dated 24.11.2016 taking into account that the victim in her statement under Section 164 Cr. P.C. has supported the allegation of committing rape.

A report was called for from the court below regarding the stage of the case. It has been reported that the charge has already been framed and trial is expected to be concluded within a period of one year.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner. The same is rejected in connection with Madhubani Town P.S. Case No. 62 of 2016, pending in the court of learned Ist Additional Sessions Judge, Madhubani.

The court below is directed to take all necessary steps to conclude the trial within a period of one year from the date of receipt/production of copy of this order.

The District Magistrate, Madhubani and the Superintendent of Police, Madhubani, are also directed to ensure that the prosecution witnesses are produced in the court below on the date fixed by the court below so that the trial could be



concluded within the stipulated period.

Let a copy of this order be communicated to the District Magistrate, Madhubani and the Superintendent of Police, Madhubani.

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(Sudhir Singh, J)

