

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28305 of 2017

Arising Out of PS.Case No. -27 Year- 1998 Thana -RUPAULI District- PURNIA

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1. Kailash Mandal S/o Late Naresh Mandal
2. Rudal Mandal S/o Late Rampi Mandal Both are R/o Kursela, P.S. -
Kursela, Distt - Katihar.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhola Prasad, Advocate
: Mr. Sanjeev Kumar Singh, Advocate
For the Opposite Party/s : Mr. Madhuranand Jha, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 17-07-2017

This is a case of misuse of privilege of bail for seventeen years in connection with Rupauli (Tikapatti) P.S. Case No. 27 of 1998 registered for offences punishable under Sections 376, 511, 307, 324/34 of the Indian Penal Code.

The allegation against the petitioners is that they attempted to ravish the daughter of the informant and on protest they inflicted knife blow causing injury.

It has been submitted on behalf of the petitioners that they had gone out for livelihood and as such they could not make pairvi in the case and their bail has been cancelled and they are in custody since 16.04.2017.

Having heard both sides, in view of the facts and circumstances of the case and the fact that the petitioners remained



absconded for about seventeen years and due to that the trial has delayed, as such, I am not inclined to grant bail to the petitioners at this stage. However, two prosecution witnesses have been examined in this case and ten witnesses are yet to be examined and the case is of the year 1998, and as such, the learned trial court is directed to conclude the trial on day to day basis and try to conclude the same within a period of seven months. At the same time S.P. Purnea is directed to ensure the attendance of the witnesses in this case on each and every date fixed so that the trial can be concluded expeditiously.

With the above observation, this application is dismissed.

(Vinod Kumar Sinha, J)

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