

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32870 of 2017

Arising Out of PS.Case No. -18 Year- 2014 Thana -DEORIYA District- MUZAFFARPUR

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Rajesh Sahani son of Visheshwar Sahani, resident of village –Dharphari,
PS-Deoriya, District-Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Radha Mohan Singh

For the Opposite Party/s : Smt. Pushpa Sinha

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 14-07-2017 This application is for grant of bail in connection with

S.Tr. No. 327 of 2017 arising out of Deoriya P.S. Case No. 18 of

2014 registered for the offence(s) under section(s) 366, 366A and

376 of the Indian Penal Code.

Allegation against the petitioner, as per the FIR, is of

kidnapping and commission of rape against the victim.

Submission of the learned counsel for the petitioner is

that the petitioner has falsely been implicated in this case due to

village politics and from perusal of the FIR it appears that the

informant herself recovered her daughter, but she has not been

produced either before the Police or before the Magistrate for her

statement under section 164 Cr.P.C. and now the petitioner is in

custody for six months.

Heard learned Additional Public Prosecutor also.



Having heard both sides and in view of the facts and circumstances, as stated above, I am not inclined to grant bail to the petitioner. However, the Court below is directed to expedite the trial and conclude the same within a period of six months and at the same time, the Superintendent of Police of the concerned district is also directed to ensure the presence of the witnesses so that the trial could be concluded within period specified. If the trial is not concluded within the stipulated period, the petitioner will have liberty to renew his prayer for bail before the Court below and the Court below, considering the materials available on record at that time, will pass an appropriate order.

With the above observation/direction, this application is dismissed.

(Vinod Kumar Sinha, J)

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