

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34642 of 2017

Arising Out of PS.Case No. -579 Year- 2015 Thana -LAKHISARAI District- LAKHISARAI

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1. Suraj Singh Son of Chandra Shekhar Singh, R/o Village- Garhi
 Bishanpur, P.S. & District- Lakhisarai.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajneesh Chandra

For the Opposite Party/s : Mr. Amrendra Prasad

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

04/ 06.09.2017 Heard learned counsel for the petitioner as well as
 learned Addl. Public Prosecutor for the State.

Petitioner is in jail custody since 17.8.2015 in a
 case in which charge has been framed for the offence
 punishable under section 376 of the IPC.

There is allegation against the petitioner that he
 committed rape upon the informant.

Earlier prayer for bail of the petitioner was twice
 rejected by this court and while rejecting his bail petition on
 28.9.2016 passed in Cr. Misc. no. 29714/2016 this court
 directed trial court to expedite the trial of the petitioner and
 try to conclude the same preferably within six months but
 up till now, trial of the petitioner could not be concluded.



Trial court has reported that five prosecution witnesses including the informant and doctor have already been examined and four proposed prosecution witnesses including I.O are yet to be examined. Trial court further reported that due to laxity of the prosecution, the aforesaid witnesses could not be examined though information regarding direction of this court had already been given to District Magistrate as well as Superintendent of Police, Lakhisarai.

Considering the aforesaid facts and circumstances as well as submissions of the parties and also the period of detention of the petitioner in jail custody and keeping in mind that informant has already been examined in this case, I direct that the petitioner be released on bail on furnishing bail bonds of Rs 10,000/- with two sureties of the like amount each to the satisfaction the learned Sessions Judge Lakhisarai in Sessions trial no. 109/2016 arising out of Lakhisarai P.S. Case no. 579/2015.

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(Hemant Kumar Srivastava,J)

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