

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49582 of 2017

Arising Out of PS.Case No. -58 Year- 2017 Thana -JAKKANPUR District- PATNA

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Shivnandan Kumar @ Shiv Nandan Yadav, son of Ramashish Yadav @
Ramashish Prasad, resident of Mohalla- New Bengali Tola, P.S. Jakkanpur,
District Patna.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Upendra Kumar

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 09-11-2017 Heard learned counsel for the petitioner.

This is an application for bail in connection with
Jakkanpur P.S. Case No. 58 of 2017, G.R.No.1618 of 2017,
registered for the offences punishable under Sections 376 of the
Indian Penal Code and 66A of I.T. Act.

Allegation against the petitioner is of committing rape
upon the informant and preparing of C.D. of occurrence and
blackmailing her.

Submission of learned counsel for the petitioner is that
she is in habit of filing such type of cases and in support of his
contention he has annexed Annexure-2, which has been filed by
the informant against some other persons. Further submission is
that no such occurrence has taken place and this false case has



been filed just to extract money from the petitioner and he is in custody since 9.7.2017.

Heard learned APP also.

Having heard both sides and in view of the allegation, I am not inclined to grant bail to the petitioner.

However, learned trial court is directed to expedite the trial and try to conclude it within a period of seven months, if possible, on day to day basis. At the same time, Sr.S.P., Patna is directed to ensure the presence of the witnesses in court so that trial be concluded within the said period.

If trial is not concluded within the said period, petitioner may renew his prayer for bail before the court below itself.

(Vinod Kumar Sinha, J)

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