

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.450 of 2017

Arising Out of PS.Case No. -25 Year- 2014 Thana -MAHILA P.S. District- KISANGANJ

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1. Manoj Kumar Das @ Manoj Das, Son of Sataya Narayan Das, Resident of Village- Dharamganj, Ward -28, P.S.- Kishanganj, District- Kishanganj.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Sinha

For the Opposite Party/s : Smt. Sharda Kumari

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 31-01-2017 The petitioner is in custody since 10.05.2014 in connection with Kishanganj Mahila P.S. Case No. 25 of 2014, registered for offences punishable under Section 376 of the Indian Penal Code.

It has been submitted on behalf of the petitioner that in the present case, there is delay of two days in lodging the F.I.R and further no medical examination of the girl was ever done and he has been in custody for about two and half years.

Learned counsel for the State opposed the prayer of bail and submitted that there is direct allegation against the petitioner and also the age of the girl was assessed as 11 years and therefore, the petitioner does not deserve to be enlarged on bail.

Having heard both sides, in view of fact that there is



direct allegation of rape against this petitioner, I am not inclined to grant the petitioner, the privilege of regular bail, it is accordingly rejected.

However, since the petitioner has remained in custody for more than two and half months, Trial Court is directed to expedite the trial and try to conclude it within a period of one year from today.

(Vinod Kumar Sinha, J)

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