

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53076 of 2016

Arising Out of PS.Case No. -31 Year- 2016 Thana -DUMRA District- SITAMARHI

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Ramu Rai @ Ramu Yadav, S/o Late Awadh Rai, R/o Mohandih, P.S.-
Dumra, District- Sitamarhi.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha

For the Opposite Party/s : Mr. Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

3 03-05-2017 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 341, 323, 376, 511, 504, 354
of the Indian Penal Code, Sections 3 (i) (x) (xi) (xii) of S.C./S.T.
(Prevention of Atrocities) Act and Section 8 of POCSO Act.

The trial court has reported that Dumra P.S. Case
No. 31 of 2016 is pending for supply of police paper to the
accused.

There is serious allegation against the petitioner that
he made attempt to commit rape on a minor girl, who belongs to
Scheduled Castes community.

Therefore, taking note of the allegation levelled



against the petitioner as well as stage of the case, I do not feel it proper to release the petitioner on bail, at least, at this stage. Hence, his prayer for bail in connection with Trial No. 04 of 2016 arising out of Dumra P.S. Case No. 31 of 2016 pending in the court of 1st Additional Sessions Judge, Sitamarhi is again rejected.

However, petitioner is in jail custody since 27.01.2016 and up till now, his trial could not commence. Therefore, I direct the learned trial court to expedite the trial of the petitioner and conclude the same as early as possible preferably within four months from the date of receipt/production of copy of this order even by taking the trial of the petitioner on day to day basis. It is also made clear that if the trial of the petitioner is not concluded within the above stated period due to non cooperative approach of the prosecution, the petitioner may renew his prayer for bail before the learned trial court itself.

(Hemant Kumar Srivastava, J)

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