

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25509 of 2017

Arising Out of PS.Case No. -54 Year- 2015 Thana -MAHILA PS District- JEHANABAD

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Sunil Goswami Son of Late Dhani Goswami, Resident of Village-
Khodaganj, Police Station- Khodaganj, District- Nalanda.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Deepak Kumar Singh

For the Opposite Party/s : Mr. Zainul Abedin

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

3 06-09-2017 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 Section 376/34 of the Indian Penal
Code and Section 6 of POCSO Act.

Earlier the prayer for bail of the petitioner was
rejected by this court taking note of allegation levelled against the
petitioner and again the bail is sought on the ground that petitioner
is in jail custody since 28.06.2016 and there is no substantive
progress in the trial of the petitioner and moreover, much prior to
lodging of the present case, the mother in law of sister of
petitioner had lodged Ghoshi P.S. Case No. 82 of 2012 against
brother in law of the informant and that is the reason of false



implication of the petitioner in the present crime but I am not, at all, convinced with the aforesaid submissions because there is specific statement of victim that petitioner and other accused committed gang rape on her. Moreover, the trial of the petitioner has already commenced and two witnesses have already been examined.

Considering the aforesaid facts and circumstances as well as submissions of the parties, I am not inclined to release the petitioner on bail and hence, his prayer for bail in connection with Jehanabad Mahila P.S. Case No. 54 of 2015 pending in the court of 1st Additional Sessions Judge, Jehanabad is again rejected.

However, learned trial court is directed to expedite the trial of the petitioner and try to conclude the same as early as possible, preferably within six months from the date of receipt/production of copy of this order.

(Hemant Kumar Srivastava, J)

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