

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1841 of 2017

Arising Out of PS.Case No. -97 Year- 2016 Thana -MAHILA P.S. District- MUZAFFARPUR

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Deepak Rai

.... Appellant/s

Versus

The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Surendra Kishore Thakur

For the Respondent/s : Mr. Sri Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

6 13-10-2017

Heard the parties.

The appellant seeks regular bail in connection with Mahila P.S. Case No. 97 of 2016 (Tr. No. 97 of 2016), registered for the offences punishable under Sections 376/511 of the Indian Penal Code read with Sections 4 and 6 of POSCO Act and Section 3 (i)(xi) of SC/ST Act, pending in the Court of Additional Sessions Judge-cum- Special Judge, POSCO, Muzaffarpur.

Allegation against the appellant is that he attempted to commit rape upon the daughter of the informant.

Submission of the learned counsel for the appellant is that the appellant is in jail custody for more than one year and the trial has commenced but until now only four witnesses have been examined and still witnesses have to be examined. Furthermore



FIR itself shows that prosecutrix has stated on the instruction of her mother.

Heard learned Special P.P. and learned counsel for the informant also and they have opposed the prayer for bail and submitted that the trial is in progress.

As informed by both the sides that the trial is in progress and both the parties are appearing in the Court, the learned trial court is directed to expedite the trial and try to conclude the same within a period of four months, if possible by conducting on regular basis. If the trial is not concluded within the stipulated period, the trial court shall release the appellant on bail to its own satisfaction.

The Superintendent of Police, Muzaffarpur is directed to ensure presence of the witnesses in court on the date fixed by the learned trial court.

Accordingly, the prayer for bail of the appellant is dismissed.

(Vinod Kumar Sinha, J)

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