

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1299 of 2017

Arising Out of PS.Case No. -30 Year- 2016 Thana -RUNISAIDPUR District- SITAMARHI

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Santosh Sahni, Son of Baidyanath Sahni, Resident of Village- Koahi,
P.S.- Runisaidpur, District- Sitmarhi.

.... Appellant/s

Versus

The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Ashok Kumar Sinha, Advocate
: Mr. Virendra Kumar, Advocate
For the Respondent/s : Smt Usha Kumari No-1, Spl PP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 25-07-2017 The appellant seeks bail in connection with

Runnisaidpur P.S. Case No. 30 of 2016 registered for offences

punishable under section 376/504 of the Indian Penal Code and

Section 3/4 of SC/ST (POA) Act.

The allegation against the appellant is of committing
rape upon the informant and when the informant became pregnant,
the appellant refused to marry her and also abused her by taking
her caste name.

It has been submitted on behalf of the appellant that
the girl is not a minor girl and further whatever allegation has been
made against the appellant when he returned back to his native
village and there was no complaint against him when they were
residing at Dehradun since 2014. The appellant has been in



custody for about six and half months.

Heard learned Special PP also, who opposed the prayer for bail on the ground that appellant has committed rape upon the informant and he refused to marry her when she became pregnant.

Having heard both sides, in view of the facts and circumstances of the case, I am not inclined to grant bail to the appellant. However, learned 1st Additional Sessions Judge is directed to expedite the trial and concluded the same within a period of 7 months. In case the trial is not concluded within the said period, the appellant would be at liberty to renew his prayer for bail.

With the above observation, this application is dismissed.

(Vinod Kumar Sinha, J)

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