

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.2308 of 2017

Arising Out of PS.Case No. -183 Year- 2016 Thana -NAUTAN District-
WESTCHAMPARAN(BETTIAH)

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1. Sekh Kamaruddin age about 21 Years, Son of Kalam Miyan, R/o Village-
Baluwa-Nautan, P.S.- Nautan, District- West Champaran.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Ranjit Jha

For the Respondent/s : Mr. Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 06-11-2017

Heard the parties.

The appellant seeks regular bail in connection with Session Trial No.535/16 arising out of Nautan P.S.Case No.183/16 for the offence under Sections 376/493 of the Indian Penal Code and Section 3(2) (V) of S.C. and S.T (POA) Act.

Allegation against the appellant is of committing rape upon the informant and she has supported the same in her statement recorded under Section 164 Cr.P.C.

Submission of the appellant is that now the



informant has already married with some other person and she is living outside and she is not appearing in this case whereas appellant is in custody for fifteen months.

From perusal of the impugned order it appears that the case is fixed for evidence.

Heard learned S.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, at this stage I am not inclined to grant bail to the appellant, however, the learned trial court is directed to expedite the trial and conclude it as soon as possible considering that the appellant is in custody for fifteen months and at the same time the S.P., West Champaran, is directed to ensure the presence of the informant and other witnesses in this case on the date fixed.

With the aforesaid observation, this appeal is disposed of.

(Vinod Kumar Sinha, J)

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