

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33855 of 2017

Arising Out of PS.Case No. -72 Year- 2015 Thana -MAHILA P.S. District- MADHUBANI

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Anil Kumar Sah @ Anil Sah Son of Late Hardeo Sah, R/o Village- Dumara,
P.S.- Arer, District- Madhubani.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Murari Narain Chaudhary, Advocate
: Mr. Vijay Kumar, Advocate
For the Opposite Party/s : Mr. Anil Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 21-07-2017 The petitioner seeks bail in connection with Mahila
P.S. Case No. 72 of 2015 registered for offences punishable under
sections 323, 341, 376, 504 and 506/34 of the Indian Penal Code
as well as under Section 4 of the POCSO Act, 2012.

The allegation against the petitioner is that he committed
rape upon a minor girl.

It has been submitted on behalf of the petitioner that he had
earlier moved this Court and his prayer was rejected by this Court
vide Annexure-1. Further submission is that the petitioner is in
custody for about one year six months but only one witness has
been examined in the case and the medical report does not support
the prosecution case.

Heard learned A.P.P. also.



Having heard both sides, in view of the facts and circumstances of the case I am not inclined to grant bail to the petitioner. Accordingly, his prayer for bail is rejected.

However, since the petitioner is in custody for about eighteen months, as such, the trial court is directed to conclude the trial within a period of seven months, if necessary, by conducting the trial on day to day basis. At the same time S.P. Madhubani is directed to ensure the attendance of the witnesses in this case on each and every date fixed so that the trial can be concluded expeditiously.

With the above observation, this application is dismissed.

(Vinod Kumar Sinha, J)

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