

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.29584 of 2017

Arising Out of PS.Case No. -38 Year- 2014 Thana -MAHILA P.S. District- BANKA

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Rajesh Kumar Yadav Son of Rajendra Yadav, resident of Village- Shasan,
Police Station- Banka, District- Banka..... Petitioner

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Md. Nurul Hoda

For the Opposite Party/s : Mr. Sri Lalan Kumar

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 26-07-2017 Heard learned counsel for the petitioner and learned
APP representing the State.

The petitioner wants to renew his prayer of bail, which was earlier rejected vide order dated 04.02.2015 passed in Cr. Misc. No. 47170 of 2014, on the ground that the petitioner is suffering in custody since 31.07.2014 after his surrender, the petitioner has been falsely implicated, sample of the petitioner has already been taken and sent for DNA test but the report has not come as yet and the petitioner is suffering in custody.

Learned APP opposes the prayer of bail by submitting that the petitioner has committed rape with the informant and thereafter, on the pretext of marriage started developing sexual relationship, resulting the informant became pregnant.

In the facts and circumstances stated above, finding no good ground for reconsideration of prayer for bail of the petitioner,



again his prayer for bail stands rejected in S. T. No. 826 of 2014 pending in the court of learned Additional Sessions Judge I, Banka.

However, learned trial court is directed to expedite the trial and conclude the same as early as possible, preferably within two months from the date of receipt/production of a copy of this order, after taking the same on priority basis and learned trial court shall try his best to obtain the test report of DNA, in case, the trial is not concluded within the said period, the petitioner, if at no fault, may be at liberty to renew his prayer of bail.

(Jitendra Mohan Sharma, J)

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