

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44367 of 2017

Arising Out of PS.Case No. -98 Year- 2016 Thana -MAHILA P.S. District- SIWAN

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Dharmendra Gond, son of Sri Madan Gond, R/o Village- Surwal, P.S.-
Jeeradai, District- Siwan.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Satya Nand Shukla

For the Opposite Party/s : Mr. Uday Chand Prasad

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 10-10-2017 Heard learned counsel for the petitioner.

This is an application for bail in connection with Siwan Mahila P.S.Case No. 98 of 2016 registered for the offences punishable under Section 376 of the Indian Penal Code and Sections 6/8 of POCSO Act.

Petitioner is named in the FIR and there is specific allegation of committing rape upon the victim girl against the petitioner.

Submission of learned counsel for the petitioner is that in her statement under Section 164 Cr.P.C. the victim girl has not supported the prosecution case and further petitioner is mentally unsound and he is in custody since 24.12.2016.

Heard learned APP also, who has opposed the prayer for



bail.

Having heard both sides and in view of nature of allegation, I am not inclined to grant bail to the petitioner.

However, since the petitioner is in custody for nine months, learned trial court is directed to expedite the trial of the petitioner and try to conclude it within a period of seven months. At the same time, Superintendent of Police, Siwan is directed to ensure the presence of witnesses in court so that the trial be concluded within the specified period. Learned District Judge, Siwan, is also directed to monitor the progress of the case.

With the above observation, this application is dismissed.

(Vinod Kumar Sinha, J)

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