

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 44385 of 2016

Arising out of P.S. Case No. - 244 Year - 2015 Thana - MANJHI District - SARAN

Dilip Sharma @ Dileep Sharma, Son of Chhapit Sharma, Resident of Village Gurdaha Khurd also known as Gurdaha Kalan, P.S. Manjhi, District - Chhapra (Saran)

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Lilawati Singh, Advocate

For the Opposite Party: Mr. Mithilesh Kumar Khare, A.P.P.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

5 13-02-2017 Heard learned counsel for the petitioner and
learned APP for the State.

Petitioner seeks bail in a case registered for the offences punishable under Sections 302, 201 of the Indian Penal Code and Section 34 of the Protection of Children from Sexual Offences Act.

According to First Information Report, in presence of the informant, this petitioner took Ragini Kumari, aged about 3 years, the daughter of the informant from his shop and subsequently committed rape and murder.

Submission of the petitioner is that petitioner is in custody since 11.12.2015. In fact, there is no eye-witness of the occurrence and false allegation is there due to the fact that the petitioner had advanced money to the informant and the informant



was not willing to pay the same. Moreover, the victim was not recovered, hence, it cannot be said, definitely, about the cause of death or commission of any rape against the victim.

Considering the facts of this case, I am not inclined to grant bail to the petitioner in connection with Manjhi Police Station Case No. 244 of 2015 pending in the Court of learned 1st Additional Sessions Judge-cum-Special Judge, POSCO, Saran, Chapra/successor Court.

Hence, prayer for bail is refused.

However, the learned trial court is directed to expedite the trial and conclude the same preferably within a period of nine months.

(Birendra Kumar, J)

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