

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44977 of 2017

Arising Out of PS.Case No. -2 Year- 2017 Thana -MAHILA P.S. District- SITAMARHI

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1. Mohan Rai, Son of Late Rama Rai,
2. Pappu Rai Son of Bindeshwar Rai, Both are R/o Village- Benipur, P.S.-
Persauni, District- Sitamarhi.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Vinod Kumar

For the Opposite Party/s : Mr. Abhay Kumar - 1

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 17-10-2017 Heard learned counsel for the petitioners.

This is an application for bail in connection with Sitamarhi Mahila P.S. Case No. 2 of 2017 registered for the offences punishable under Sections 376-G of the Indian Penal Code and 4/6 of POCSO Act.

Allegation against the petitioner and other accused persons is of committing rape on the informant, who is minor.

Submission of learned counsel for the petitioner is that story of rape does not find support from medical evidence and even the victim has not named this petitioner and he is in custody for about nine months.

Heard learned APP also, who has opposed the prayer for bail.



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

However, learned trial court is directed to expedite the trial of the petitioner and try to conclude it within a period of nine months. At the same time, Superintendent of Police, Sitamarhi is directed to ensure presence of the witnesses in court so that trial be concluded within the said period.

With the above observation, this application is dismissed.

(Vinod Kumar Sinha, J)

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