

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47322 of 2016

Arising Out of PS.Case No. -167 Year- 2013 Thana -DEEPNAGAR District- NALANDA
(BIHARSHARIFF)

=====

Prabhakar @ Karu

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Arun Kumar

For the Opposite Party/s : Mr. Smt. Pronati Singh

=====

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

5 15-02-2017 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Earlier, the prayer for bail of the petitioner was twice rejected but again this bail petition has been filed on the ground that in course of trial, the victim was examined as PW-4 but she failed to identify the petitioner in dock.

Learned counsel for the petitioner submits that at Para-18 of her deposition, the victim failed to identify the petitioner in dock.

No doubt, at para-18 of her deposition, the victim failed to identify the petitioner in dock but in her examination in chief, she supported the story of rape. Moreover, the trial court has reported that altogether four prosecution witnesses have already been examined and six prosecution witnesses have been left to be



examined. Therefore, in the aforesaid circumstance, it is obvious that the trial of the petitioner is going on in full swing and there is every possibility of conclusion of the trial of the petitioner in near future. Hence, I am not inclined to release the petitioner on bail and, accordingly, his prayer for bail in connection with Deep Nagar P.S.Case No. 167 of 2013, pending in the court of Additional Session Judge, Nalanda at Bihar Sharif stands rejected.

However, the learned trial court is directed to expedite the trial of the petitioner and try to conclude the same as early as possible, preferably, within four months from the date of receipt/production of a copy of this order, failing which the petitioner would be at liberty to renew his prayer for bail before the learned trial court itself.

(Hemant Kumar Srivastava, J)

N.K/-

U		T	
---	--	---	--

