

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No 17419 of 2017

Arising Out of PS.Case No. -237 Year- 2016 Thana -CHHATAPUR District- SUPAUL

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1. Sanjay Kumar Sah,
2. Arun Sah @ Arun Kumar Sah, Both are S/o- Bechan Sah, R/o Village-
Ghibha, P.S. - Chhatapur, District- Supaul.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr Karuna Kant Jha, Advocate

For the Opposite Party/s : Mr Ataur Rahman, APP

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CORAM: HONOURABLE MR JUSTICE SANJAY PRIYA

ORAL ORDER

3 17-05-2017 Heard learned counsel for the petitioners and the
learned APP for the State.

The petitioners seek bail in Chhatapur Police Station
Case No 237 of 2016 dated 20.08.2016 instituted for the offence
under Sections 365 and 366 of Indian Penal Code.

Prayer for bail of the petitioners was earlier rejected
by this Court by order dated 21.12.2016 passed in Cr Misc No
47943 of 2016.

Learned counsel for the petitioners submitted that
new facts have come in paragraph 12 of the supplementary case
diary in which there is some conversation between the victim and
other persons. However, this Court, in the order dated 21.12.2016,
passed earlier, has taken into consideration the statement of the



victim girl available in paragraph 44 of the main case diary and also her statement recorded under Section 164 of Criminal Procedure Code wherein she has levelled specific overt act against the petitioners of kidnapping and committing illegal act with her. The informant, in her further statement in paragraph 3 and other witnesses in paragraphs 7, 8, 9 of the case diary have also disclosed the names of the petitioners in the commission of the aforesaid offence.

From supplementary case diary itself, it appears that the evidence was never produced before the police earlier when the statement of the victim girl was recorded under Section 164 of Cr P C. These are mere defence of the accused which has been brought in the supplementary case diary.

This Court does not find any fresh ground to grant bail to the petitioners. Prayer for bail of the petitioners is rejected.

The trial Court is directed to expedite the trial of the petitioners and in case the trial is not concluded within nine months, petitioners may renew their prayer for bail.

(Sanjay Priya, J)

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