

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.22665 of 2017**

Arising Out of PS.Case No. -73 Year- 2016 Thana -GORICHAK District- PATNA

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1. Mangal Bind S/o Late Ram Lagan Bind @ Lagan Bind resident of  
Kushban, P.S. - Dhanarua, Dist - Patna.

.... .... Petitioner/s

Versus

1. The State of Bihar.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Tilak Sao

For the Opposite Party/s : Mr. Sri Binod Kumar 2

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**CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA**  
**ORAL ORDER**

2      18-05-2017                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

Petitioner is in custody since 03.04.2016 in connection  
with S.Tr. No. 841 of 2016 arising out of Gaurichak P.S. Case No. 73  
of 2016 registered under Sections 302/34 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that the  
petitioner is innocent and has not committed any offence. In fact, the  
petitioner has not been named in the F.I.R. and the petitioner has been  
made accused in this case on ground of confessional statement before  
the police. Nothing incriminating has been recovered from the  
conscious possession of the petitioner nor any cogent evidence is  
available on the record against the petitioner. Moreover, charges have  
already been framed in this case. The petitioner is rotting in custody for  
the last one year.



Learned A.P.P. for the State has opposed the prayer for bail and submitted that though the petitioner is not named in the F.I.R. but according to the statement of victim recorded under Section 164 Cr.P.C. implication of this petitioner in the alleged crime is supported by her.

Considering the nature of accusation, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for bail of this petitioner is, hereby, rejected.

It is observed that the trial court shall expedite the trial and try to conclude the same preferable within a period of six months from the date of receipt of a copy of this order.

**(Arvind Srivastava, J)**

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