

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54004 of 2017

Arising Out of PS. Case No.-441 Year-2013 Thana- TURKAULIYA District- East
Champaran

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Gobinda Sahani @ Govinda Sahni @ Govinda Sahani @ Gobinda Sahni Son
of Uma Sahani Resident of Village- Jhakhia, P.S. Banjariya, District- East
Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar No.III, Advocate

For the Opposite Party/s : Mr. Pramod Kumar Pandey (APP)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

4 07-02-2018 Heard learned counsel for the petitioner and the
learned counsel representing the State.

The petitioner wants to renew the prayer of bail
which was earlier rejected vide order dated 26.04.2016 and
07.12.2016 passed in Cri. Misc. No. 10244 of 2016 and Cr.
Misc. 52255 of 2016, on the ground that the petitioner is
suffering in custody since 26.03.2014, there is contradiction in
the statement of the victim recorded under Section 164 of the
Cr.P.C. and in that statement the petitioner is not named, one of
co-accused Bagar Sahani has been allowed bail, and as such, the
petitioner deserves sympathetic consideration.

The learned A.P.P. opposes the prayer of bail by



submitting that against the petitioner there is allegation that he and co-accused Kapil Sahni and Sashi Sahani committed rape with the minor daughter of the informant after bringing her in the house of Bagar Sahni

In the facts and circumstances stated above, finding no good ground for reconsideration of prayer of the bail, again prayer of the bail of the petitioner stands rejected.

However, considering the detention of the petitioner, let the trial be expedited and concluded as early as possible preferably within two months, from date of receipt/production of a copy of this order, failing which if the petitioner at no fault, may be at liberty to renew his prayer for bail.

(Jitendra Mohan Sharma, J.)

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