

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60840 of 2017

Arising Out of PS.Case No. -164 Year- 2015 Thana -BAIRIYA District- WESTCHAMPARAN
(BETTIAH)

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Bhanu Choudhary @ Bhannu Choudhary , son of Shambhu Choudhary,
resident of village- Bagahi Ratanpura, P.S.- Bairiya, District-West
Champaran at Bettiah.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raghunandan Kumar Singh

For the Opposite Party/s : Smt. Asha Devi

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

3 03-01-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

Earlier, the prayer for bail of the petitioner was rejected by this Court vide order dated 01.03.2017 passed in Cr. Misc. No. 24994 of 2016. Now, the petitioner has renewed the prayer for bail in the light of period of incarceration since 28.11.2015 though the observation was given to expedite the trial and conclude the same preferably within two months as only the Investigating Officer and the doctor remained to be examined , but the trial has not concluded.

The report called for from the trial court reflects that some other co-accused have been summoned under Section 319 Cr.P.C. It is submitted by learned counsel for the petitioner that



there are altogether five prosecution witnesses excluding the I.O. and the Medical Officer. Since it is a case of gang rape having specific allegation against the petitioner also named in the FIR, so the Court is not inclined to grant him bail. The prayer for bail is refused with a direction to the trial court to expedite *de novo* trial expeditiously and conclude the same preferably within a year.

(Arun Kumar, J)

Sujit/-

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