

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26144 of 2018

Arising Out of PS.Case No. -52 Year- 2017 Thana -TARAIYA District- SARAN

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Rupesh Kumar Ram S/o Late Shioji Ram, R/o Vill.- Faridanpur, P.S.-
Taraiya, District- Saran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Basant Kumar Singh

For the Opposite Party/s : Mr. Shantanu Kumar

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

4 11-07-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in Taraiyan P.S. Case No.
52 of 2017 registered under Sections 363 and 366(A) of the Indian
Penal Code.

The petitioner along with his 6-7 accomplices are
said to have kidnapped the daughter of the informant and also
looted away cash of Rs.90,000/- and some jewelry on the point of
gun intruding into his house in the night.

It is submitted by learned counsel for the petitioner
that no occurrence as alleged ever took place. As a matter of fact,
the victim was in love with the petitioner and she had eloped with
the petitioner out of her sweet will as her marriage was fixed with



some other persons and subsequently she arrived at her house suo motu. The victim happens to be major and doctor has not found any mark of sexual assault on her person. Petitioner has been languishing in custody since 11.04.2017. Victim has already performed marriage and she has been living in her marital house happily. Earlier bail prayer of the petitioner was rejected by this court with direction to the learned lower court to conclude the trial as expeditiously as possible preferably within nine months, but only one witness has been examined as yet, hence he may be enlarged on bail.

Learned APP opposing the bail petition submitted that the victim in her statement recorded under Section 164 Cr.P.C. has candidly stated that the petitioner had kidnapped her shutting her mouth under threat of dire consequence and took her to Haryana and committed rape against her.

In the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail. Prayer for bail of the petitioner is rejected.

However, learned Trial Court is directed to conclude the trial as expeditiously as possible within six months from the date of receipt/production of a copy of this order conducting it on day to day basis and Superintendent of Police, Saran at Chapra is



directed to ensure the production of the witnesses before the court below on each and every date fixed in the case without fail. However, petitioner shall be at liberty to renew his prayer for bail if the trial is not concluded within the stipulated period.

Let the order be communicated to Superintendent of Police, Saran at Chapra by fax for needful.

(Prakash Chandra Jaiswal, J)

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