

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3409 of 2018

Arising Out of PS.Case No. -213 Year- 2016 Thana -MAHILA P.S. District- BHOJPUR

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1. Om Prakash Gupta, Son of Sri Shiv Shankar Gupta @ Bala Jee, Resident of Village- Jamira, Police Station- Ara Muffasil, in the district of Bhojpur, Ara.

.... Petitioner

Versus

1. The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Bimal Kumar

For the Opposite Party/s : Mr. Jagdhar Prasad

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 21-03-2018 Heard learned counsel for the petitioner, learned counsel for the State as well as learned counsel for the informant.

The petitioner seeks bail in Bhojpur Mahila P.S. Case No.213/2016 and POSCO-51/2016 registered under Sections 376, 379 and 506 of the Indian Penal Code.

The prayer for bail of the petitioner was earlier rejected vide order dated 03.03.2017 passed in Cr. Misc. No.55624 of 2016.

Learned counsel for the petitioner submits that the prosecutrix remained silent for more than two months. This fact itself shows the falsity of the allegation. The son of the petitioner is ill and the petitioner is only male member in his family to look



after his son.

On the other hand, learned counsel for the informant submits that the prosecutrix and her mother have already been examined and the prosecution would examine all the witnesses within four months.

Considering the aforesaid facts and nature of allegation, I am not inclined to enlarge the petitioner on bail. Accordingly, the same is rejected.

The Trial Court is directed to expedite the trial and hold the trial on day to day basis and conclude the same within a period of four months from the date of receipt/production of a copy of this order.

If the trial is not concluded within four months, the petitioner may renew his prayer for bail.

(Prabhat Kumar Jha, J)

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