

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15193 of 2018

Arising Out of PS. Case No.-83 Year-2010 Thana- PATORI District- Samastipur

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Bhupendra Kala @ Kala @ Bhupendra S/o Rati Ram, R/o Mohalla
Nazavgarh Ishapur, P.S.- Zafarpur, District- New Delhi- 73.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sujit Kumar Singh

For the Opposite Party/s : Mr. Dr.Mrityunjaya Kr.Gautam

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

4 10-05-2018 Heard learned counsel for the petitioner and the
learned APP for the State.

Petitioner, already in custody, seeks bail in connection
with Patori PS Case No.83 of 2010, giving rise to Sessions Trial
No.598 of 2016, registered under Sections 365, 366(A) and
120(B) of the Indian Penal Code.

Allegation in brief is that two minor daughters of the
informant were kidnapped and in captivity rape was committed.

Learned counsel for the petitioner submits that the
case was instituted after five days and the petitioner is not
named in the FIR, however, subsequently he was made accused
after statement of the victim girls recorded under Section 164
Cr.P.C., in fact it was a case of elopement with other co-
accused; whereas learned counsel for the State submits that two



minor daughters of the informant were kidnapped and they were recovered and made statement in the court with specific allegation against the petitioner that in captivity, he repeatedly committed rape.

Having considered the aforesaid facts and circumstances as also the specific allegation of committing rape, the prayer of bail of the petitioner is rejected in connection with Patori PS Case No.83 of 2010, giving rise to Sessions Trial No.598 of 2016, pending in the court of learned 1st Additional Sessions Judge, Samastipur.

However, the trial court is directed to expedite the trial of the petitioner, who is in custody and as submitted charge has been framed, so conclude the trial preferably within a year.

(Arun Kumar, J)

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