

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28776 of 2018

Arising Out of PS. Case No.-31 Year-2016 Thana- MOHAMMADPUR District- Gopalganj

Vivek Kumar Mishra, Son of Late Hansnath Mishra, Resident of village-
Harpur Tengarahi, P.S.- Mohammadpur, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arbind Kumar Singh
For the Opposite Party/s : Mr. Sri Matloob Rab

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

5 27-07-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case instituted for the offences under Sections 365 and 364(A)/34 of the Indian Penal Code.

The petitioner was granted provisional bail by order dated 19.06.2018 for a period of 10 days. Further, the petitioner was to surrender in the Court below. A surrender certificate has been brought on record. From perusal of the order dated 2.7.2018 passed by the Court below, it is evident that petitioner has already surrendered before Court below in this case.

The earlier bail application of the petitioner was rejected vide Annxure-1 to the present application taking into account that the victim in her statement recorded under Section



164 Cr.P.C. had made a specific allegation against the petitioner.

Vide order dated 10.05.2018, a report was called for from the Court below. It has been reported that out of 6 prosecution witnesses, 4 have been examined. The trial is likely to be concluded within a period of four months.

Considering the nature of accusation and the stage of the case, I am not inclined to grant bail to the petitioner. The same is rejected. The Trial Court is directed to conclude the trial within a period of four months from the date of receipt/production of a copy of this order.

(Sudhir Singh, J)

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