

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.63662 of 2018

Arising Out of PS. Case No.-95 Year-2017 Thana- CHARPOKHARI District- Bhojpur

Azad Shekhar Son of Shivjee Singh Resident of Village-Mukundpur P.S.
Charpokhari Distt.-Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramanuj Tiwary

For the Opposite Party/s : Mr. Sri Ram Sumiran Roy

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 20-11-2018 The petitioner seeks regular bail in connection with

Charpokhari P.S. Case No. 95 of 2017, registered for offences

punishable under Sections 302 and 120B of the Indian Penal

Code.

Allegation against the petitioner is of committing rape

on the minor daughter of the informant and also causing her

death.

It has been submitted on behalf of the petitioner that

except suspicion, there is nothing against the petitioner and he

has been in judicial custody for one and half year.

Learned counsel for the State opposed the prayer for

bail and has drawn the attention of this court towards para -10

of the case diary to state that the petitioner was the person,



who was with the victim and impugned order shows that post mortem revealed that hymen was ruptured and posterior wall of vagina was torn and bleeding from the private part. There was puncture wound over lower portion of neck leading to rupture of trachea and blood vessel.

Having heard both sides, considering the facts and circumstances of the case and the heinous nature of offence, I am not inclined to enlarge the petitioner on bail.

This application is accordingly dismissed.

However, since the petitioner has been in custody for last one and half year, the trial court is directed to expedite and conclude the trial within a period of one year, even by conducting the same on day to day basis

(Vinod Kumar Sinha, J)

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